

JULY - AUGUST 1980
TWENTIETH YEAR — No. 217

international review of the red cross



INTER ARMA CARITAS

PROPERTY OF U.S. ARMY
THE JUDGE ADVOCATE GENERAL'S SCHOOL
LIBRARY

GENEVA
INTERNATIONAL COMMITTEE OF THE RED CROSS
FOUNDED IN 1863

INTERNATIONAL COMMITTEE OF THE RED CROSS

- Mr. ALEXANDRE HAY, Lawyer, former Director-General of the Swiss National Bank, *President* (member since 1975)
- Mr. HARALD HUBER, Doctor of Laws, Federal Court Judge, *Vice-President* (1969)
- Mr. RICHARD PESTALOZZI, Doctor of Laws, *Vice-President* (1977)
- Mr. JEAN PICTET, Doctor of Laws, former Vice-President of the ICRC (1967)
- Mrs. DENISE BINDSCHEDLER-ROBERT, Doctor of Laws, Professor at the Graduate Institute of International Studies, Geneva, Judge at the European Court of Human Rights (1967)
- Mr. MARCEL A. NAVILLE, Master of Arts, ICRC President from 1969 to 1973 (1967)
- Mr. JACQUES F. DE ROUGEMONT, Doctor of Medicine (1967)
- Mr. VICTOR H. UMBRICH, Doctor of Laws, Managing Director (1970)
- Mr. GILBERT ETIENNE, Professor at the Graduate Institute of International Studies and at the Institut d'études du développement, Geneva (1973)
- Mr. ULRICH MIDDENDORP, Doctor of Medicine, head of surgical department of the Cantonal Hospital, Winterthur (1973)
- Mrs. MARION BOVÉE-ROTHENBACH, Doctor of Sociology (1973)
- Mr. HANS PETER TSCHUDI, Doctor of Laws, former Swiss Federal Councillor (1973)
- Mr. HENRY HUGUENIN, Banker (1974)
- Mr. JAKOB BURCKHARDT, Doctor of Laws, Minister Plenipotentiary (1975)
- Mr. THOMAS FLEINER, Master of Laws, Professor at the University of Fribourg (1975)
- Mr. ATHOS GALLINO, Doctor of Medicine, Mayor of Bellinzona (1977)
- Mr. ROBERT KOHLER, Master of Economics (1977)
- Mr. MAURICE AUBERT, Doctor of Laws, Banker (1979)
- Mr. RUDOLF JÄCKLI, Doctor of Sciences, Geologist (1979)
- Miss ANDRÉE WEITZEL, former head of the women's auxiliary service at the Federal Military Department (1979)
-

EXECUTIVE COUNCIL

- Mr. ALEXANDRE HAY, *President*
- Mr. RICHARD PESTALOZZI
- Mrs. DENISE BINDSCHEDLER-ROBERT
- Mr. JAKOB BURCKHARDT
- Mr. ATHOS GALLINO
- Mr. RUDOLF JÄCKLI
-

CONTENTS

INTERNATIONAL REVIEW OF THE RED CROSS

July - August 1980 — No. 217

INTERNATIONAL COMMITTEE OF THE RED CROSS

Jacques Moreillon: The fundamental principles of the Red Cross, peace and human rights	171
Shigeki Miyazaki: The application of the new humanitarian law	184
Jean Pictet: The Fundamental Principles of the Red Cross (VIII)	193
Implementation of the Protocols	198

ICRC President in Italy	205
. . . and in Libya	206
Anniversary at the International Tracing Service	207
Brochure on the ICRC	207

External activities:

Africa — Latin America — Asia — Middle East	208
---------------------------------------------	-----

IN THE RED CROSS WORLD

The centenary of the Argentine Red Cross	223
--------------------------------------------------	-----

BOOKS AND REVIEWS

Italian translation of the Protocols	226
Prisoners of war in international armed conflicts — Documents on prisoners of war (Howard S. Levie)	226

International Review of the Red Cross is published by the International Committee of the Red Cross. It first appeared in French in 1869.

As the official organ of the ICRC, specializing in international humanitarian law and recording the international activities of the Red Cross, *International Review of the Red Cross* provides a constant flow of information and constitutes the necessary link between the members of the International Red Cross.

International Review of the Red Cross appears once every two months in three languages:

in English: INTERNATIONAL REVIEW OF THE RED CROSS (from 1961)

in French: REVUE INTERNATIONALE DE LA CROIX-ROUGE

in Spanish: REVISTA INTERNACIONAL DE LA CRUZ ROJA (from 1976)

It also publishes, in German, a short edition, *Extracts*, of various articles which appear in the main editions.

EDITOR: Michel Testuz

ADDRESS: International Review of the Red Cross
17, Avenue de la Paix
CH - 1211 Geneva, Switzerland

SUBSCRIPTIONS: one year, Sw. frs. 30.—; single copy Sw. frs. 5.—
Extracts in German: one year, Sw. frs. 10.—; single copy
Sw. frs. 2.—

Postal Cheque Account: No. 12 - 1767 Geneva

Bank account No. 129.984 Swiss Bank Corporation, Geneva

*The International Committee of the Red Cross assumes responsibility
only for material over its own signature.*

THE FUNDAMENTAL PRINCIPLES OF THE RED CROSS, PEACE AND HUMAN RIGHTS

by Jacques Moreillon

INTRODUCTION

The theme of this paper ¹ is not an easy one. The difficulty of our subject is twofold: on the one hand, two of its three facets (peace and human rights) raise conceptual and interpretative problems; on the other hand, to deal with them together would involve finding a common factor, something which is not obvious even—perhaps especially—within the limited framework of the Red Cross movement.

We would therefore like to begin by establishing some simple concepts as guidelines in this paper.

First, since the first world war the role of the Red Cross in promoting peace has become a matter of increasing importance, but also of increasing delicacy, within the movement.

Secondly, human rights are the subject of many political discussions throughout the world today; yet, although the Red Cross movement has always been motivated by concern that certain fundamental human rights should be respected, human rights as such have only been a marginal consideration—at least until now.

¹ Paper read at the Sixth Round Table on current problems of International Humanitarian Law and Red Cross Symposium, San Remo, 5-8 September 1979.

Thirdly, the fundamental principles of the Red Cross hold our movement together, they are its common denominator, a fixed point of reference in an unstable universe and an essential guarantee of its cohesion and universality.

Taking these three simple ideas as our starting point, we shall try to attain in the next few pages the following two objectives simultaneously: first, to underline the most important elements of the role of the Red Cross in promoting peace and of the place of human rights among our institution's concerns; and then, on the basis of the fundamental principles of the Red Cross, to establish guidelines for our study—and perhaps our movement—in analyzing the relations of the Red Cross with peace and human rights.

We are thus already nearer an answer to the twofold challenge presented by our theme: it is in the fundamental principles that we must seek the common denominator of peace and human rights within the Red Cross.

THE RED CROSS AND PEACE

Historical background

The years 1921, 1930, 1948, 1957 and 1977 mark the five principal stages in the evolution of the Red Cross standpoint on peace.

Of course, Henry Dunant was a pacifist and Gustave Moynier was perfectly aware that peace must be the ultimate aim of an organization born out of the horror of war, but within the movement, before 1921, peace was not even formally considered as a possible consequence of the work of the National Societies. At most, they considered their work in peace-time as the best way to prepare for wartime.

In 1921, however, the Tenth International Red Cross Conference encouraged the League and the ICRC to "address an appeal to all peoples to combat the spirit of war which is still rife throughout the world". This was the Red Cross movement's first appeal for peace.

In 1930, the Fourteenth International Conference went one step further and adopted Resolution XXV, which may today be considered as constituting the primary basis of the Red Cross contribution to peace.

This resolution reads as a logical sequence of thoughts, each paragraph following on from the preceding one and leading into the next, and concluding with a remarkable synthesis. It begins by recalling that the work of the National Societies had developed from merely helping wounded soldiers to providing relief to all forms of suffering in time of peace as well as in time of war; it then states that a fundamental condition of this work is the scrupulous observance of the principle of neutrality; it goes on to stress that this work, which is carried out all over the world, with a common aim and under one emblem consecrated by a universal treaty, constitutes "a moral force transcending national frontiers and a factor for mutual aid and reconciliation between peoples". It thus reaches the natural conclusion that: "... the Red Cross must endeavour to seek all points where it may exert its moral force and its prestige to move the world towards mutual understanding and conciliation, the essential guarantees for the maintenance of peace, and must combat war with every means available to it, thereby preventing the suffering of which the alleviation was the primary object of its activity".

These words are still full of meaning for the world today, and in the course of the last fifty years these features of the Red Cross have not at all aged.

Resolution 64 of the Seventeenth International Red Cross Conference of 1948 is too long to be summarized here, but it is interesting in view of the following new elements contained in it—new in respect of previous resolutions: the outline of a programme of concrete actions, which, when put into effect, would contribute directly to peace; the importance of young people in strengthening peace; the fact that peace is not merely the absence of war but that it has to be attained through a struggle in all areas of human activity.

In 1957, two further elements appeared in the resolution on peace: on the one hand, the International Conference addressed governments for the first time, appealing to them to settle their disputes in a pacific manner; on the other hand, "in accordance with the aims and principles of the Charter of the United Nations", the Conference recommended that the National Societies act as an intermediary among the nations and keep the ideal of peace alive amongst all peoples.

Between 1957 and 1977 there appeared in resolutions on peace several themes which previously either had not been mentioned by the International Red Cross Conferences or had been referred to in separate resolutions; this was the case, in particular, of disarmament, the ban on certain weapons, atomic weapons, the peaceful settlement of disputes, non-recourse to force, the right of self-determination, the observance of

the Geneva Conventions, the protection of civilian populations during armed conflicts, human rights, racial discrimination, and collaboration with the United Nations and its specialized agencies.

There was a proliferation of themes (see for example, Resolution XX of the Twenty-first International Red Cross Conference in 1969) but, for the first time, the proteiform resolutions in which they were expressed were not adopted unanimously. A serious paradoxical situation had been reached in which the National Red Cross Societies not only disagreed over peace, but imposed upon a minority, by putting the question to a vote,—a civilized form of conflict—the majority's concept of peace. To restore the movement's basic unity and to avoid a "Pax Romana" within the Red Cross it had become imperative to reach a fresh consensus on the role and work of the Red Cross in support of peace.

This was the objective which the XXXIIIrd Session of the Board of Governors set itself in 1973, when it decided to convene a Red Cross conference on Peace. This decision set off a long and often difficult process which was nonetheless of great importance for the Red Cross and which, through the Belgrade Conference in 1975 and the ensuing working group, reached, at the 1977 meeting of the Council of Delegates in Bucharest, a consensus on the "Programme of Action of the Red Cross as a Factor of Peace" and on related texts.

It is generally known that this was the outcome of at times laborious discussions before, during and after the Belgrade Conference, and it is therefore not surprising that some people considered that it went too far and others that it did not go far enough. Yet, whatever its imperfections, this programme has one major essential merit: that, as we have said, the National Societies, the League and the ICRC were invited *by consensus* to draw their guiding inspiration from it for their respective activities. With this consensus, the Red Cross made peace over the matter of peace—a considerable event in itself. It was a sort of pact, and, as such, both a result and a beginning.

The heart of the matter

Before going on from this historical account to examine prospects, it would be appropriate to pause to consider what in our view was the central issue in the negotiations which resulted in this consensus. The problem was solved in the programme of action and thanks to its inter-

pretative texts, but it is important to bear in mind that it was a compromise between two trends of thought which are still very much alive within the movement.

One of these believes that for the Red Cross to be up to date it must take an active interest in all the major problems of our time and try to contribute to their solution. The other fears that if the Red Cross follows this line of action, it will become enmeshed in political tangles and its humanitarian work will be paralyzed.

In our opinion, between these two schools of thought lie many non-issues, frequent misunderstandings and accusations of malicious intent. All these often arise from problems of terminology; we have indeed seen that the mere use of the word "peace" occasions the same reaction of distrust among some interlocutors as the use of "human rights" among others... usually not the same interlocutors! The United Nations vocabulary sometimes provokes similar reactions, as frequently no distinction is made between fundamental documents such as the United Nations Charter or the Declaration of Human Rights, which have universal bearing, and ordinary resolutions adopted by majority vote,—which are themselves at times disputed. Furthermore, people—depending on personal or national circumstances—have each their priority concerns: one thinks he has good cause to fear his country may be attacked by another, a second is afraid more particularly of an imbalance of nuclear and traditional forces, a third is deeply seared in his soul by the torture to which his comrades have been subjected, and a fourth considers racial discrimination as an affront to his personal dignity.

"And that's how", some people will tell us, "the Red Cross is led down step by step to take a political stand and its action is bogged down". "But," others will retort, "how do you expect the Red Cross to be credible—and thus effective—if, in this day and age, it takes no account of these basic problems?"

To clarify these conceptual differences we must revert to the fundamental principles of the Red Cross, which, with your permission, we should like to do by means of a grammatical digression. Verbs may be classed in three categories: action, abstention, and state. Five of the seven fundamental principles—those of humanity, impartiality, voluntary service, unity and universality—make use of verbs of action. These verbs show the Red Cross at work: "prevent, alleviate, protect, ensure respect, promote, relieve, give priority, be, be open, carry on, share". They sound like a song in praise of Red Cross work, on which our movement has always agreed and will continue to agree, because agreement is readily and spontaneously reached on humanitarian action.

One principle, that of independence, uses a verb of state, saying that the Red Cross must “maintain” its autonomy; and even so, it maintains it in order to be able “at all times to act in accordance with Red Cross principles”. So, here again, action takes pride of place.

Only one principle out of seven contains a verb of abstention, that of neutrality, which states: “In order to continue to enjoy the confidence of all, the Red Cross may not take sides in hostilities or engage at any time in controversies of a political, racial, religious or ideological nature”.

The Statutes of the International Red Cross go farther than the principle of neutrality, since they state that the Conference “may not deal with political matters” (not merely controversies) “nor serve as a forum for political debate”. This does not mean, however, that the Red Cross must be unconcerned by problems of excessive armament, torture, aggression or racial discrimination but rather emphasizes that it must show an interest without siding with one government or another so as to “continue to enjoy the confidence of all”.

It will be observed that the reasons for this abstention are given in the principle itself: the Red Cross must not engage in political controversies because it cannot take sides and, at the same time, enjoy the confidence of all. It is also interesting to note that only two principles explain their aim: neutrality and independence, which, as we have seen, show that the Red Cross must remain independent so that it may at all times act in accordance with its principles. The other principles simply list the essential concerns of the Red Cross, without showing the need to justify them.

It should be mentioned that these basic concepts were fully appreciated in the Programme of Action for Peace, since it is emphasized therein that no condemnations pronounced by the Red Cross or its members may refer to a specific situation. On the other hand—and this is the compromise of the Programme of Action—it was agreed that the Red Cross might make a general condemnation of certain evils. Nevertheless, condemnation must clearly be used wisely and cautiously, even if it only refers to general evils.

Indeed, as is mentioned in the Programme of Action, the principal aim of the Red Cross is to give aid and not to blame. It may be feared that in reproving one thing after another a change may be brought about in the spirit of the movement and of its members. It is above all a question of mental attitude. Helping a suffering human being requires an open, alert, constructive state of mind, whereas a condemnation implies internal tension and a negative, even aggressive attitude, an undertaking to act against something instead of for someone.

It is true that the ICRC itself proposed, at the Bucharest Conference, a draft resolution, in which it asked the Red Cross to condemn torture. It would therefore be reasonable to wonder why it would hesitate to condemn political detention, for example. The reason is simple: even when torture is ordered or tacitly allowed at a high level, there is a person to person relationship between the torturer and his victim. Neither the orders of his superiors nor anything else can justify the act of the torturer, just as nothing absolves the soldier who finishes off a wounded person. In condemning torture, which, like racial prejudice, is a relationship between men, the Red Cross is therefore appealing to human conscience rather than to States. On the other hand, political detention—to give only an example—is a political act, decided upon by the State. It is natural for the Red Cross to try to alleviate the suffering of political detainees, but we deem it impossible for it to attack the reasons for their detention or its basic causes without entering the political arena.

There is another reason why Red Cross involvement in repeated condemnations of government deeds—even if referred to in a general way—may be feared. We agree with those who say “Protecting conflict victims is all very well, but wouldn’t it be better to prevent those conflicts?”. Of course it would !

But we feel that we have to make distinctions and determine who does what and how. Is the task of maintaining peace throughout the world not that of the United Nations? Is it by condemnation that the Red Cross will make its most useful contribution to peace or is it in dealing with conflict victims, natural disasters or under-development? Above all, could it do both for long? If it were to become involved in activities outside its particular field of work, would it not run the risk of gradually losing its effectiveness and possibilities of action in areas where it is the only operative body?

Frequent condemnation by the Red Cross would have the third disadvantage of establishing *de facto* a sort of black list of government offences. But the problem of any list is that what it omits is as important as what it contains, and the Red Cross would risk wasting its energy and endangering its cohesion in fruitless controversies over the contents of this list. Why, for instance, criticize political detention and not the violation of human rights? We shall revert to this in a moment.

To conclude on this point: let us be moderate in our condemnations— if indeed we feel we have to condemn at all; otherwise we risk losing the moral force which we derive from the humanitarian work on which we are all agreed—more than from the resolutions over which we all too often argue.

The future

In one way we have already tackled the problem of the future, but we should like to go into greater detail.

The Commission on the Red Cross and Peace, whose task it is to see to the implementation of the Programme of Action, will shortly present its report, which we hope will be greeted with the same consensus as the Programme of Action from which it originated. Nonetheless, work still remains to be done and we think it would be a pity if the Commission's mandate were not extended. The Commission has had time to explore only half of the major themes mentioned in the Programme of Action, and one would like it to be allowed to complete its task. Moreover, the problems associated with the role of the Red Cross in the area of peace are sensitive and we think they might usefully be discussed in a small representative group before being brought before plenary assemblies.

But above all it should be remembered that even if views on what constitutes peace differ, there is nonetheless a peace dynamic. The world's greatest universal movement should not, either by not taking part or by hesitating, slow down this dynamic. Thanks to the Programme of Action, we have a basis accepted by all; let us not get worked up about its imperfections but let us rather strive for the achievement of its aim—in accordance with the spirit and principles of the Red Cross. As we thus get down to essentials, we draw closer together, like the spokes of a wheel converging towards its hub.

THE RED CROSS AND HUMAN RIGHTS

To speak of the Red Cross and human rights is easier than to talk of the Red Cross and peace. Indeed, whereas peace has been the subject of some forty resolutions (if those of the League are counted as well as those adopted by the Council of Delegates and the International Conference), human rights were the subject of only one resolution, entitled "The Istanbul Declaration" and adopted by the Twenty-first International Conference in 1969. In that declaration it is said, among other things, that "man has a right to enjoy lasting peace, that it is essential for

him to be able to live a full and satisfactory life founded on respect of his rights and of his fundamental liberty”, and that “this aim can be achieved only if human rights as set forth and defined in the Universal Declaration of Human Rights and the Humanitarian Conventions are respected and observed”.

The Declaration goes on to list those fundamental rights which appear particularly important to the Red Cross. In addition to non-discrimination in the “enjoyment of the benefits of contemporary civilization” and the affirmation of the rule of law, the Declaration insists on the human right “to be free from all fears, acts of violence and brutality, threats and anxieties likely to injure man in his person, his honour and his dignity”.

As far as we know, the only other mention of human rights in an International Red Cross Conference resolution was adopted by the same Istanbul Conference in which the Red Cross “calls for respect of the internationally accepted fundamental human rights of all persons and of all human societies”, and stressed the need to make greater use of information media to make those rights known.

There is, on the other hand, a field in which the Red Cross—and particularly the ICRC—has been greatly concerned about human rights, but without in fact saying so in so many words. That field is the protection of man against the absolute power of an enemy, particularly in the event of international and non-international armed conflicts, and also in situations occurring in internal disturbances and tension.

In armed conflict, the law of Geneva is applicable, but Mr. Jean Pictet has amply demonstrated in his writings that some human rights are in fact included in the law of Geneva, and vice versa.

Mr. Pictet has perceived three principles common to the Geneva Conventions and human rights, namely, inviolability (respect for life and physical and mental well-being), non-discrimination and safety (no collective punishment, legal safeguards, individual responsibility).

These common principles arise from the kindred aims of the fundamental principle of the law of Geneva—which requires that persons *hors de combat* and those taking no direct part in hostilities shall be respected, protected and humanely treated—and of the fundamental principle of human rights—which require that the individual will see at all times guaranteed the exercising of his fundamental rights and freedoms, as well as the conditions of existence propitious to the harmonious development of his personality.

Professor D. Schindler, in an article in *International Review of the Red Cross* in January-February 1979, very clearly showed the many and definite connections which had appeared, especially since the founding of the United Nations, between human rights and international humanitarian law. For lack of time, we cannot do more than refer readers to that article, but it is obvious that every time the Red Cross has concerned itself with questions relating to the development, dissemination and respect of international humanitarian law it has also, albeit indirectly and without saying so, concerned itself with respect for certain fundamental human rights. Only, when doing so, it has concentrated and limited its attention to the plight of the individual at the mercy of the actual or potential power of an enemy.

That enemy may be sometimes of the same nationality as the person in his hands, not only in the event of civil war but also during internal disturbances and tension. To protect and assist the victims of such circumstances is a humanitarian task which has been assigned to the ICRC by the Statutes of the International Red Cross.

Internal disturbances and tension have a general characteristic: the incarceration of certain categories of persons by the authorities. These persons have in common the fact that their actions, statements or writings are regarded by the authorities as constituting such opposition to the existing political system that they must be dealt with by depriving them of their freedom. The legal or material nature of the sanctions imposed may vary. They may be aimed at punishment, prevention, re-education or reintegration; they may be the result of a sentence imposed under the regular laws in force or by virtue of emergency laws and regulations; or they may be the result of an administrative measure of limited or unlimited duration.

While it does not state its views on the reasons for the detention of these persons, the ICRC is nevertheless concerned with the conditions of their incarceration. Experience has proved that even when the government of a country wishes to have its prisoners humanely treated, in many cases the conditions of their everyday existence in detention could and should be improved. Such detainees are treated as "enemies" by officials in direct contact with them and do not always have the practical possibility of making their grievances known to the national authorities who otherwise might be both able and willing to guarantee them decent and humane treatment. Under these circumstances, not only during the period of interrogation but afterwards as well—when the only security involved is that of the place of detention itself—ICRC delegates have had

many occasions to observe how far the situation of these persons falls short of what it should be.

The action taken by the ICRC in such circumstances consists in periodic and detailed visits by its representatives—all career delegates and of Swiss nationality—to the places of detention and persons concerned, followed by discussions at all levels with the detention authorities and ending with the sending of confidential reports addressed only to the detaining government. These reports, describing objectively and in detail the conditions of detention and containing specific suggestions for improvement, where appropriate, are not intended to be published. The ICRC confines itself to publishing the places and dates of the visits, the number of persons seen and the fact that the delegates have been able to talk to the prisoners without witnesses. It never comments publicly on the material or psychological conditions observed. It never gives its views—publicly or otherwise—on the reasons for detention. As occasion arises, the ICRC supplies material assistance to detainees, and even to their families, if there is need and if the authorities permit.

In order to provide effective protection, the ICRC delegates ask to see all persons detained as a result of the events, to talk freely and without witnesses with prisoners of their choice and to return to the places of detention as the needs require.

In their criteria for evaluation in these visits, the delegates take local conditions and customs into consideration, and the procedure, as a rule, leads to good results.

Furthermore, no State has complained to the ICRC that its security has been compromised by such visits or that the legal status of the persons visited has been affected by them. This is well worth pointing out since it was in 1919—sixty years ago—that the ICRC first assisted prisoners under circumstances other than those of international conflict or civil war.¹

There is no doubt that, through such action, the ICRC actively contributes to respect for human rights, even though its approach is more pragmatic than juridical and its efforts are never based on the Universal Declaration of Human Rights, or on the covenants and regional

¹ See J. Moreillon, *The International Committee of the Red Cross and the Protection of Political Detainees*, *International Review of the Red Cross*, November 1974.

agreements, but solely on the International Red Cross Statutes and its universally recognized right to take humanitarian initiative.

Still to be undertaken is a research that we have not had time to tackle, and which consists in examining—as Jean Pictet did for human rights and humanitarian law—the common denominators of the fundamental Red Cross principles and human rights.

However, we feel that in such an analysis certain obvious facts should be recalled, and this we briefly do here:

- first, the enjoyment of all human rights postulates a *sine qua non* condition, namely, peace;
- second, it is generally to attain or retain such rights that internal or international war is waged;
- third, the Red Cross is better equipped—especially juridically—to promote respect of humanitarian law in time of war than to safeguard human rights in time of peace; this shows how important it is to distinguish institutions created by the international community for the maintenance and safeguard of peace and human rights from other organizations with a specific object, such as our own.

THE FUNDAMENTAL PRINCIPLES OF THE RED CROSS

This is a theme about which we may be brief in spite of its immense importance, since Mr. Jean Pictet, has taken the trouble of not only working out the wording of the principles but also of commenting on them almost exhaustively.

In addition, our aim, as stated at the beginning of this exposition, was rather to use the fundamental principles as “sensors” in our analysis of peace and human rights.

There is, however, one point we would like to develop by way of conclusion, and that is the direct relation which, in our opinion, exists between respect for the fundamental Red Cross principles and the promotion of peace. We feel, indeed, that each of the seven principles, if implemented, contributes in its own way to spreading the spirit of peace in the world.

HUMANITY. This is the principle of peace *par excellence*, since peace is the main consequence of its respect. Does not concern for the suffering of others, its prevention and alleviation primarily entail refraining from inflicting it, and hence doing everything to prevent war?

IMPARTIALITY. This positive principle of helping others without discrimination reminds us that no distinction should be applied to people in distress. It is the negation of the feelings of superiority or inferiority, of difference and discrimination, which are at the origin of so many conflicts.

NEUTRALITY. War implies commitment. But neutrality implies a withdrawal, when confronted by a conflict; it is an indispensable condition for performing efficiently humanitarian action and creates a peace reflex by virtue of the refusal to commit oneself in controversies.

INDEPENDENCE. This is essential for respect of Red Cross principles. It enables that spirit of peace which is a prerequisite of genuine peace to reign in the hearts of the people who form part of the movement.

VOLUNTARY SERVICE. War too often seeks to take. The spontaneous and unselfish voluntary action to give help is a peacemaking reaction, for it is an act of abnegation.

UNITY. War sometimes threatens a country from within. The unity of the Red Cross within its frontiers is a factor for internal peace.

UNIVERSALITY. War does not take fraternity into account. But universality brings fraternity to mind and reminds us that the enemy is a human being like others. It is a decisive contribution to peace, for it demands the consensus of all people, to be a living reality.

We are certainly aware of the gulf between, on the one hand, the description of these principles and their links with peace and, on the other hand, the facts of everyday life which we witness in this world torn by strife. But the ICRC, which approaches present-day conflicts almost as closely as the combatants themselves, does not therein see only cause for pessimism. At all times and in the grimmest circumstances, there are also reasons for keeping hope alive.

Jacques Moreillon
Director, Department of
Principles and Law at the ICRC

THE APPLICATION OF THE NEW HUMANITARIAN LAW

by Shigeki Miyazaki

I. Bases of the new humanitarian law

The Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts met in Geneva from 1974 to 1977. During its fourth session, in 1977, the Conference finally adopted two Protocols additional to the Geneva Conventions of 12 August 1949 for the protection of victims of war—Protocol I relating to international armed conflicts and Protocol II relating to non-international conflicts.

Shortly after the conclusion of the Geneva Conventions in 1949, the International Committee of the Red Cross (ICRC) undertook to promote the development of those instruments. The Board of Governors of the League of Red Cross Societies, for its part, unanimously adopted at its XXIIIrd Session (Oslo, May 1954) a resolution stressing the need for effective legal protection for civilian populations and calling for action to draft an appropriate instrument. Subsequently, the experts convened by the ICRC drew up a set of rules limiting the risks incurred by civilian populations in war time; these rules were published by the ICRC in June 1955.

It must be admitted that, at the time, these calls for action fell on deaf ears. However, the realisation has gradually developed that every State has a duty to respect and safeguard human rights. Thus the Teheran Conference on Human Rights, held in 1968, adopted, on the protection of human rights during armed conflicts, a resolution which has achieved results.

The new humanitarian treaties adopted by the Diplomatic Conference of 1977 are in the form of two Protocols relating to the protection of victims of armed conflicts and reflect a new awareness of human rights in the world of today.

One of the most important changes in the world situation in recent years has been the emergence of “third world” countries.

II. Civil war and international law ¹

Article 2, paragraph 4, of the United Nations Charter provides that member States must all refrain, in their international relations, from recourse to threats or the use of force. However, since the Second World War, a number of armed conflicts which may be considered as wars have broken out.

In many of the armed conflicts of the last few years, elements of both international and non-international conflicts have been present; this has been the case, for example, in Korea, Viet Nam, the Congo, Bangladesh, etc. Hitherto, no precise definition of conflicts of this type has been found in international law. It has been asserted by some persons that the rules of war are applicable to the relations between a government and a revolutionary movement in the same way as they are to the relations between two or more States. In practice, no revolution or insurrection has been recognised since the War of Secession. However, human rights are disregarded during civil wars just as much as during wars between States—if not more.

For this reason the adoption of the Additional Protocol relating to the protection of victims of non-international armed conflicts should be considered as an improvement on the situation existing prior to its adoption.

Moreover, the application of this Additional Protocol comprises some special features which are not usually found in treaties.

III. Article 3 common to the Geneva Conventions

When dealing with the question of the applicability of the laws of war to non-international armed conflicts, the Geneva Diplomatic

¹ A Lombardi: *Bürgerkrieg und Völkerrecht*, Berlin, Duncker & Humblot, 1976, pp. 25 ff.

Conference of 1949 included in article 3 common to the Geneva Conventions minimum standards of protection in the event of civil war as follows: “*Article 3*. In the case of armed conflict not of an international character occurring in the territory of one of the High Contracting Parties, each Party to the conflict shall be bound to apply, as a minimum, the following provisions (basic humanitarian principles)...” This article has been described as a “miniature convention”; it gives rise to special problems.

The parties to the conflict, within the meaning of article 3, are the government of a contracting party and the authority representing the party which has risen against the government—i.e. the *de facto* authority. The High Contracting Parties—or, to be more precise, their governments—are bound to apply the provisions of the Geneva Conventions, since they are themselves parties thereto (article 1).

The Convention of 23 May 1969 on the law of treaties contains, in its article 26, the following: “Every treaty in force is binding upon the Parties to it and must be performed by them in good faith”. If the application of the Conventions is considered in the light of the principle *pacta sunt servanda*, it must be recognised that no *pactum* has been concluded between the two parties to a conflict within a single State, since a *de facto* authority cannot be a party to the Convention. It may then be asked what principles may be invoked in support of the thesis of the applicability of these provisions to a *de facto* authority which is directing dissidence against the government. If we consider the third paragraph of article 3, part or all of the provisions of the Convention could perfectly well be applied to the *de facto* authority provided that in that capacity it had concluded a special agreement with the other parties to the conflict. If that were the case, there would be an agreement, and a kind of *pactum* would have been concluded.

In the cases covered by article 3 other than those referred to in the third paragraph, no such agreement would exist.

This throws a different light on research into the applicability of article 3 of the Geneva Conventions, inasmuch as Additional Protocol II, relating to non-international conflicts, is intrinsically neither more nor less than a reaffirmation and development of the substance of article 3 of the Geneva Conventions. Its article 1 defines its material field of application as follows:

“This Protocol, which develops and supplements article 3 common to the Geneva Conventions of 12 August 1949 without modifying its existing conditions of application, shall apply to all armed conflicts which are not covered by article 1 of Protocol I, and which take place

in the territory of a High Contracting Party between its armed forces and dissident armed forces or other organised armed groups which, under responsible command, exercise such control over a part of its territory as to enable them to carry out sustained and concerted military operations and to implement this Protocol.”

IV. Basis for the application of article 3 or of Protocol II to a de facto authority

During the Geneva Diplomatic Conference in 1949 the question was raised of whether a revolutionary authority was bound by an agreement which it had not signed.²

Several different viewpoints exist on this subject.

1. The theory of succession.

According to this theory, the revolutionary authority succeeds the government and occupies the legal position of that government, since the latter signed the agreement as a Contracting Party and, in so doing, acted as the representative, at the international level, of the whole of the population under its authority, including the members of the *de facto* revolutionary authority. The theory of *tabula rasa* may be recalled in this connection.

2. The theory of customary law.

According to this theory, the contents of article 3 of the Geneva Conventions and of Protocol II have already become part of customary law. The 1969 Convention on the law of treaties, referred to earlier, contains the following provisions: *Article 34* (General rule regarding third States) “A treaty does not create either obligations or rights for a third State without its consent”.

Article 38 of the same Convention, which deals with rules set forth in a treaty and becoming binding on third States as general rules of international law, provides that “nothing in articles 34 to 37 precludes a rule set forth in a treaty from becoming binding on a third State as a customary rule of international law recognised as such”.

² Jean Pictet: *Commentaire aux Conventions de Genève* (I), Geneva, ICRC, 1952, pp. 43-48.

It is true that customary law is binding on each of the States of the international community; but there remains the question of whether the population of each of these States—i.e. private individuals—is also bound. In other words, can the population as a whole be considered as a subject of international law?

3. *The public law theory.*

If the Geneva Conventions and the Additional Protocols had the nature of implementing agreements, Art. 3 of the Geneva Conventions could also be binding on private individuals. In other words, Art. 3 would be directly in force on the territory of each of the parties to the treaty.³

4. *The theory of transnational humanitarian law.*

It is argued in some circles that the ever-increasing volume of exchanges between human beings has given rise within the community of mankind to a transnational humanitarian law existing side by side with international and national law. All transnational humanitarian law would be directly applicable to private individuals and associations of individuals as well, both in peace time and during armed conflicts.

If this thesis were accepted, Art. 3 of the Geneva Conventions and Protocol II would be deemed to form a whole together with the Convention of 9 December 1948 on the Prevention and Repression of Genocide, the International Covenants on Human Rights dated 16 December 1966, etc.

Admittedly, standards of this kind relating to human rights are now codified in the form of international treaties, but they are in fact an expression of the universal conscience of mankind today.

J. Pictet considers that the standards laid down in this type of humanitarian law are of an absolute character, i.e. they are *jus cogens*.⁴ Some of the members of the U.N. International Law Commission have argued that treaties which infringe human rights also infringe this *jus cogens*.⁵

I support this theory.

³ Report of the UN Secretary-General: *Respect for Human Rights in Armed Conflicts*, 1970, A/8052, para. 158: "... But, even in such cases, the Government concerned and/or the other parties had not infrequently denied the applicability of article 3, claiming that only national law applied to these situations."

⁴ J. Pictet: *Humanitarian Law and the Protection of War Victims*, Leyden, Sijthof, 1975, p. 19.

⁵ *Yearbook of the UN International Law Commission*, 1966, Vol. II, pp. 247-249.

V. Treatment of campaigns of national liberation

One of the most important questions examined by the recent Diplomatic Conference on the new international humanitarian law was the treatment to be accorded to national liberation movements.

During the first session, the Third World and Socialist countries asserted that liberation campaigns of this kind had the status of international conflicts within the meaning of Additional Protocol I and of Art. 2 of the Geneva Conventions. In the first draft of Protocol I, which had been drawn up by the International Committee of the Red Cross, the scope of application of Protocol I was defined as follows: "*Article 1* (Scope of the present agreement). This protocol, which supplements the Geneva Conventions of 12 August 1949 for the Protection of War Victims, shall apply in the situations referred to in Article 2 common to those Conventions".

In the text adopted by the Diplomatic Conference, this paragraph was incorporated in the third paragraph of the new Article 1 and the following paragraph was added as paragraph 4 of the same Article: "4. The situations referred to in the preceding paragraph include armed conflicts in which people are fighting against colonial domination and alien occupation and against racist regimes in the exercise of their right of self-determination, as enshrined in the Charter of the United Nations and the Declaration on Principles of International Law concerning friendly relations and co-operation among States in accordance with the Charter of the United Nations."

Hitherto, Art. 2 common to the Geneva Conventions has been considered as a rule applying to conflicts between States. If national liberation movements were also to be considered as falling within the area covered by Art. 2, it would follow that the validity of that article is not restricted to conflicts between States.

It appears that the interpretation traditionally accepted hitherto is erroneous inasmuch as it treats international conflicts and conflicts between States as identical.

At the meeting of the Committee of Experts of the ICRC in 1969, the participants agreed that foreign military intervention on the side of one party to an armed conflict could transform an internal conflict into an international one.⁶

⁶ Report of the UN Secretary-General, *op. cit.*, 1970, A/8052, para 135: "At the 1969 meeting of a Committee of Experts of the International Committee of the Red Cross, it was generally agreed that foreign military intervention, on the side of either party, could transform an internal conflict into an international one, calling for the application of the laws and customs of war."

But it is conceivable that an international conflict may not at the same time be a conflict between States. Paragraph 1 of Art. 2 only applies to cases of war or of other armed conflicts which may arise between two or more contracting parties. Here again, application to any party other than a State is excluded, since, under the rules, only States can be contracting parties. The last part of paragraph 3 of Art. 2 might permit the application of the Geneva Convention to powers taking part in an armed conflict and which are not contracting parties; the phrase “one of the powers (which) may not be a party to the present Convention” generally applies to a State which has not yet become a contracting party, but at the same time does not exclude other authorities taking part in the conflict and which are not States. The fourth paragraph of Art. 1 of Protocol I may therefore be considered as a case of extension of the third paragraph of Art. 2 of the Geneva Conventions.

A unilateral declaration by a *de facto* authority undertaking to apply the Conventions (third paragraph of Art. 96 of Protocol I) corresponds to acceptance by a power which is not a contracting party within the meaning of the third paragraph of Art. 2 of the Geneva Conventions.

That article lays down the following rule: “They (i.e. the contracting parties) shall furthermore be bound by the Convention in relation to the said power, if the latter accepts and applies the provisions thereof”.

VI. A gap in the law

Having said this, we come up against a new question: Which of the rules applicable to armed conflicts is applicable to a *de facto* authority which is in conflict with the government of a contracting party but has not deposited a declaration by which it undertakes to be bound by additional Protocol I and the Geneva Conventions in accordance with the third paragraph of Article 96 of Protocol I?

There are four possible answers:

- 1) additional Protocol II; or
- 2) article 3 of the Geneva Conventions; or
- 3) provisionally, additional Protocol I; or
- 4) there are other rules applicable.

I share the views of those who consider that Protocol II would be applicable.

Article 1 of Additional Protocol II reads as follows: “*Article 1—* Material field of application. 1. This Protocol... shall apply to all armed conflicts which are not covered by Art. 1 of the Protocol additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I)...”

In my view, conflicts which appear to fall within the scope of the fourth paragraph of Article 1 of Protocol I, but to which Protocol I is not applicable, are armed conflicts (i.e. “armed conflicts which are not covered by Article 1 of the Protocol”). Article 1 of Protocol I should certainly be applicable to a situation of this kind; such application may perhaps be made in the future, but for the moment it is not.

As was pointed out earlier, the fourth paragraph of article 1 of Protocol I is applicable only if a declaration of undertaking to apply it has previously been deposited in accordance with paragraph 2 of Article 96.

In present circumstances, armed conflicts may be classified as follows:

- | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|
| 1) Armed conflict between parties to the Geneva Conventions and to the Protocols | Geneva Conventions, art. 2, para. 1; Protocol I, art. 1, para. 3. |
| 2) Armed conflict between a contracting party (State) and a non-contracting party (a State or a <i>de facto</i> authority, for instance, an authority directing a national liberation campaign, which has accepted the Geneva Conventions and/or the Protocols) | Geneva Conventions, art. 2, para. 4; Protocol I, art. 1, para. 4; art. 96, para. 2. |
| 3) Armed conflict between a contracting party (State) and a non contracting party (a State or <i>de facto</i> authority) which has not yet accepted either the Geneva Conventions or the Protocols | Geneva Conventions, art. 2, para. 4; Martens Clause; Protocole II (authority). |
| 4) Armed conflict between two non-contracting parties | Geneva Conventions, art. 2, para. 4; Geneva Conventions, art. 3 (authority); Martens Clause; Protocol II (authority). |

- | | |
|-----------------------------------------------------------------------------------|---------------------------------------------------------------------|
| 5) Serious armed conflict of a non-international character (rising, insurrection) | Geneva Conventions, art. 3;
Protocol II;
Public Law. |
| 6) Other armed conflicts (riots, disorders, etc.) | International Covenants on Human Rights;
Public Law (penal law). |

Each step in this progression describes a situation not covered by previous steps and the rules applicable to it.

It should also be borne in mind that the International Covenants on Human Rights adopted in 1966, which came into force in 1976, are intended to ensure the protection of human rights in all circumstances. It is possible—and it should be considered—that the Additional Protocols and the Geneva Conventions form a whole with the International Covenants on Human Rights; for the two sets of instruments are directed to the same end—the affirmation of the principle of humanity.

Salus populi suprema lex esto !

Since the two Additional Protocols came into force in December 1978, it is to be hoped that as many States as possible will accede to the Additional Protocols and to the International Covenants on Human Rights.

Shigeki Miyazaki

Professor, Meiji University, Japan.



The Fundamental Principles of the Red Cross

COMMENTARY

by Jean Pictet

(continued)

VI

UNITY

There can be only one Red Cross Society in any one country. It must be open to all. It must carry on its humanitarian work throughout its territory.

Under the heading “unity”, the Proclamation brought together three concepts: unity, properly speaking, or uniqueness: there can be only one National Red Cross Society in any one country; multitudinism: it must be open to everyone; and generality in its action: it must extend throughout the entire territory.

1. UNITY

The unique character of a National Society is also found among the Conditions for the Recognition of New Societies (paragraph 2), which require unity of leadership: the Society shall be directed by a central body which shall alone be competent to represent it in its dealings with other members of the International Red Cross.

For practical reasons, which are nonetheless imperative, the Red Cross Society must be the only one of its kind in the territory of each nation, for this is essential to the efficacy of its work. We can well imagine the confusion which would prevail in a country if several associations, all proclaiming the same principles, were to advertise that they were carrying out the same tasks independently !

Unity of leadership is essential for much the same reasons. If it is necessary for the Red Cross Society to be the only one of its kind, it is also necessary that it take its orders from only one central committee, just as an army can only obey one general staff. It is essential to concentrate its energies and resources in the same hands, for the sake of harmonious co-ordination. This requirement also applies at every level of the hierarchical structure.

In federated countries, we find a clear tendency toward decentralization, with local sections often having quite extensive powers and more or less autonomy.

In certain countries, the Red Cross Society is joined to other charitable institutions through affiliation and grants them the right to use the emblem, while preserving their particular characteristics. While we may well be gratified at seeing the Red Cross become a rallying point for people and institutions of good will, such a procedure has its hazards. A Society would accordingly be well advised to define quite precisely its relations with affiliated organizations, so that the authority of its central committee will remain intact and that respect for the principles of the Red Cross will always be ensured.

A National Red Cross Society is therefore its own master in its own domain. This is true to such an extent that International Red Cross Conferences have ruled that a National Society cannot establish a section in, or send a mission to a foreign country without the permission of the Red Cross Society in that country.

2. MULTITUDINISM

The Proclamation specified that each National Society must be open to all, that is, as stated more precisely in the Conditions for recognition, it shall *not withhold membership from any of its nationals, whoever they may be, on grounds of race, sex, class, religion or political opinions.*

Concerning this enumeration, we refer to what we said above on the subject on non-discrimination for we are concerned here with non-discrimination in the recruiting of members. Whereas in the case of non-discrimination with regard to the persons being assisted we were in the domain of substantive principles, we are dealing now with organic principles. One can see at a glance the profound difference between the levels of these two kinds of principle in the hierarchy of values, a difference of nature and not only one of degree. While it is important for Red Cross membership to be open to everyone, the essential thing is that it must give its services without distinction to everyone in need. In the latter case, we are in the field of ends and not in that of means.

The principle of multitudinism does not mean that a Red Cross Society must accept all the citizens of its country without exception.¹ On the contrary, it has the indisputable right to exclude individuals on grounds of their moral character, and also on grounds of ability. Positions which carry responsibilities or call for specialized knowledge, medical for example, cannot be given to incompetents. The right to eliminate undesirables is obviously less important when it is simply a matter of membership, at least in those Societies in which membership requires nothing more than the paying of dues.

What the principle does mean is that membership must not be refused for discriminatory reasons, reasons based on considerations alien to the institution, to the efficiency of its work or its reputation.

Multitudinism, by making it possible for all social, political and religious elements to be represented, prevents sectarianism and a spirit of partisanship. It provides a guarantee of confidence in the Society, both inside and outside the country and is the best antidote against favouritism.

To succeed, the Red Cross must be a popular organization. It is important for it to have a wide base and to win the mass of people to its cause, for in union there is strength. Its leaders must come from every quarter of the compass.

The foregoing considerations are especially important in countries having a large indigenous population living alongside a more developed population of immigrants. It is indispensable for the natives to be

¹ Nor does it imply that foreigners in a country are necessarily excluded. It would be quite in the spirit of the Red Cross to accept those of them who want to serve, but this cannot be made obligatory, for it is up to each Society to decide the matter.

progressively associated with the work of the Red Cross and accede to positions of leadership. In this way, the Red Cross will be able to reach into the most remote corners of the country and bring a broader understanding of its ideals. It is also necessary for these people to be capable of carrying on the work that has begun, after they have gained their independence and have only themselves to rely upon. Recent experiences, gained in the course of “decolonization”, should be instructive to us in this connection.

The *Tansley Report* considers that the Red Cross does not take community needs sufficiently into account, especially in rural areas. In most countries, the volunteers come from the cities and encounter the traditional mistrust of countrymen for city people. It is for this reason that Dr. Pierre Dorolle expressed his hope to see the coming into being of a “bare-foot Red Cross”, composed of people from the villages, which would assure its penetration everywhere.

3. GENERALITY OF ACTION

The language in the Conditions for Recognition is more precise, stating in paragraph 7 that the Society shall *extend its activities to the entire country and its dependencies*.

Since there can be only one Red Cross Society in a country, it follows logically that this Society must embrace within its sphere of activities the whole territory of the country, for there would otherwise be gaps in its humanitarian work.¹ The *Tansley Report* has pointed out however that this condition is very far from being universally achieved.

The universality of which we have already spoken, transferred from the international to the national domain, takes the form of generality of action. This is a geographically limited universalism, a universalism proportioned to each National Society but identical in essence to that which inspires the worldwide institution.

This universalism requires the National Society to assume all the activities belonging to its traditional domain which are not already

¹ Divided countries constitute special cases; there may then be more than one Society, with each covering one of the separate territories.

being carried out by other institutions. In this way, the combination of these rules permits the Red Cross to be present everywhere and to seek to ensure that no suffering shall be without remedy within the jurisdiction of the Society.

To cover the whole national community, the system of territorial decentralization is the most widespread and is doubtless the best. Local sections are set up in all provincial centres and in all major towns. Smaller units in secondary localities, urban neighbourhoods or even apartment blocks may be set up if necessary as adjuncts to these sections. By this means, step by step, the Red Cross can “infiltrate” the population, enabling it to reach all sections of the population, among whom it can carry out its mission and enjoy the co-operation it needs.

Jean PICTET

(To be continued)

IMPLEMENTATION OF THE PROTOCOLS

Most of the provisions of the 1977 Protocols to the Geneva Conventions are applicable only in time of armed conflict.

However, there are two types of provisions which may require States Parties to the Protocols to adopt certain measures upon ratification or accession, that is to say already in peacetime. These are :

- *provisions which lay down a standing obligation, such as Article 83 of Protocol I and Article 19 of Protocol II, relating to dissemination of the Protocols;*
- *provisions which need to be supplemented by domestic legislation or regulations, or which require practical action to be taken at an early stage so that they may be applied when the need arises.*

All the measures called for under one or other of these headings come under Article 80 of Protocol I, which reads :

- “1. The High Contracting Parties and the Parties to the conflict shall without delay take all necessary measures for the execution of their obligations under the Conventions and this Protocol.
2. The High Contracting Parties and the Parties to the conflict shall give orders and instructions to ensure observance of the Conventions and this Protocol, and shall supervise their execution.”

Protocol II, which is very concise, does not contain a specific reference to this rule which, of course, is equally applicable to it.

This document lists the provisions, together with a brief commentary, which require the States Parties to the Protocols to take action already in peacetime.

The list is not intended to be exhaustive, and the commentaries are not intended to constitute an authentic interpretation of the texts. The only purpose of the document is to assist States that have become Parties to the Protocols to execute their obligations.

This task requires the co-operation, on national level, of many government and non-government bodies. The National Red Cross or Red Crescent Society is, of course, one of the institutions on which the government may rely.

The ICRC, for its part, shall be pleased to give governments any information needed with a view to the discharge of the commitments newly undertaken.

International Review quotes herunder from the memorandum which the ICRC sent to States parties to the Protocols and will send to others as they accede to them.

Provisions of the Protocols whose application may require the adoption of legislative or other measures upon ratification or accession

PROTOCOL ADDITIONAL TO THE GENEVA CONVENTIONS OF 12 AUGUST 1949, AND RELATING TO THE PROTECTION OF VICTIMS OF INTERNATIONAL ARMED CONFLICTS (PROTOCOL I)

Article 6 — Qualified persons

The training of the qualified personnel referred to in this article constitutes a permanent task to be undertaken in peacetime as well as in time of war by States and National Red Cross (Red Crescent, Red Lion and Sun) Societies.

Article 12 — Protection of medical units

Paragraph 2 (b): Civilian medical units must be recognized and authorized as soon as possible.

Paragraph 4: Care should be taken already in peacetime to ensure that fixed medical units are so sited that attacks against military objectives would not imperil their safety.

Article 16 — General protection of medical duties

Effective protection of medical duties can only be ensured through appropriate legislation.

Article 18 — Identification

Measures to ensure that medical personnel, units and transports are identifiable should be taken as soon as possible.

*Article 22 — Hospitals ships and coastal rescue craft
and*

Article 23 — Other medical ships and craft

The regulations laid down in application of Chapter III of the Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea of 12 August 1949 (Second Convention) must be adapted and extended to the ships and craft referred to in these two articles of the Protocol.

Articles 24 to 31 — Protection of medical aircraft

The conditions for notifications and agreements concerning medical aircraft under Article 29 must be laid down already in peacetime (see also Article 12 of Annex I).

It is in the interests of medical aircraft that measures should be adopted concerning their identification (see Articles 5 to 12 of Annex I).

Article 33 — Missing persons

Plans for the gathering, recording and transmission of information should be made in advance.

Article 34 — Remains of deceased

Arrangements should be made for this article to be implemented either by an organization to be established for the purpose or by an existing organization.

Article 36 — New weapons

Measures must be adopted to ensure that in the study, development, acquisition or adoption of a new weapon, means or method of warfare, the necessary action is taken to determine whether its employment would, in some or all circumstances, be prohibited by the Protocol or by any other rule of international law applicable to the High Contracting Party concerned.

Article 43 — Armed forces

Armed forces must be subject to an internal disciplinary system which enforces compliance with the rules of international law applicable in armed conflict.

Notifications under paragraph 3 may be made already in peacetime.

Article 45 — Protection of persons who have taken part in hostilities

A judicial procedure should be developed in advance to determine whether a captured person is entitled to prisoner-of-war status, should any doubt arise as to such entitlement.

Article 56 — Protection of works and installations containing dangerous forces

The following rules in particular are applicable at all times: military objectives should not be located at or in the vicinity of such works or installations; efforts should be made to provide additional protection for such works and installations through agreements concluded among Contracting Parties; the objects protected by the article should be marked with the special sign (see Article 16 of Annex I).

Article 58 — Precautions against the effects of attacks

To the maximum extent feasible, steps should be taken to avoid locating fixed military objectives near densely populated areas, and the necessary precautions to protect the civilian population should be laid down in advance.

Article 60 — Demilitarized zones

Agreements for the creation of demilitarized zones may be concluded already in peacetime.

Articles 61 to 67 — Civil defence

In order to benefit from the protection afforded by Protocol I, civil defence must be organized so as to meet the requirements laid down in Articles 61 to 67. Particular attention should be paid to the question of the use of the distinctive sign.

Article 74 — Reunion of dispersed families

Steps must be taken to ensure that the security regulations applicable in wartime do not hinder the reunion of dispersed families.

Articles 75 — Fundamental guarantees

The guarantees relating to humane treatment and judicial protection provided under this article must be embodied in appropriate national legislation which should be applicable in time of armed conflict.

Article 76 — Protection of women

Same comment as for Article 75.

Article 77 — Protection of children

Same comment as for Article 75. In addition, all feasible measures should be taken to prohibit the recruitment into the armed forces of children under fifteen years of age.

Article 78 — Evacuation of children

The organization to be responsible for this task in wartime should be appointed.

Article 79 — Measures of protection for journalists

Measures should be taken to prepare the identity card under this article, so that it should be available when the Protocol enters into force.

Article 80 — Measures for execution

This list enumerates the measures to be taken in peacetime. Furthermore, the orders and instructions aimed at ensuring observance of the Conventions and the Protocol should be set out in the form of regulations and a military handbook.

Article 82 — Legal advisers in armed forces

Legal advisers must be trained and available already in peacetime.

Article 83 — Dissemination

Dissemination of the Conventions and the Protocol is a standing obligation. The High Contracting Parties undertake to include the study thereof in their programmes of military instruction and to encourage the study thereof by the civilian population.

Article 84 — Rules of application

The translations of the Protocol as well as the laws and regulations adopted to ensure its application are to be communicated as soon as possible.

Article 85 — Repression of breaches of this Protocol

The national penal law must be supplemented so as to cover the breaches listed in this article.

Article 86 — Failure to act

If necessary, the national penal law must be brought in line with this provision.

Article 87 — Duty of commanders

Governments must issue appropriate instructions to military commanders already in peacetime with a view to ensuring that the measures laid down in the article are taken, particularly with regard to the observance of the Conventions and the Protocol by their subordinates.

Article 88 — Mutual assistance in criminal matters

Legislation providing for mutual assistance in connexion with criminal proceedings and co-operation in the matter of extradition should be enacted already in peacetime.

Article 90 — International Fact-Finding Commission

The declaration of recognition of competence referred to in paragraph 2 (a) and (b) may be made at any time and must be deposited with the depositary State.

Article 98 — Revision of Annex I

If and when Annex I is revised, the amendments which have been adopted and accepted must be incorporated in the corresponding domestic regulations.

Annex — Regulations concerning identification

See the comments relating to Articles 18, 24 to 31, 56, and 61 to 67.

Annex II — Identity card for journalists on dangerous professional missions

See the comment relating to Article 79.

PROTOCOL ADDITIONAL TO THE GENEVA CONVENTIONS OF
12 AUGUST 1949, AND RELATING TO THE PROTECTION OF
VICTIMS OF NON-INTERNATIONAL ARMED CONFLICTS
(PROTOCOL II)

Article 4 — Fundamental guarantees

The fundamental guarantees laid down in this article must be embodied in appropriate national legislation which is applicable in time of non-international armed conflict.

Article 5 — Persons whose liberty has been restricted

The regulations relating to the detention of persons referred to in this article must be consonant with the provisions laid down in the article.

Article 6 — Penal prosecutions

The fundamental judicial and other guarantees provided under this article must be embodied in appropriate national legislation which is applicable in time of non-international armed conflict.

Article 10 — General protection of medical duties

Effective protection of medical duties can only be ensured through appropriate legislation.

Article 19 — Dissemination

Dissemination of the Conventions and the Protocol is a standing obligation.

INTERNATIONAL COMMITTEE OF THE RED CROSS

ICRC President in Italy...

The President of the ICRC, Mr. Alexandre Hay, was in Italy from 15 to 20 June for an official visit. He was accompanied by Mr. Sergio Nessi, head of the Financing Division, and Mr. Melchior Borsinger, delegate-general for Europe and North America. The purpose of the visit was to contact the Italian authorities, to give them a detailed account of the ICRC role and function and to obtain greater moral and material support from them.

The first day of the visit was mainly devoted to discussions with the leaders of the National Red Cross Society and a tour of the Society's principal installations.

On the same day Mr. Hay was received by the President of the Republic, Mr. Sandro Pertini. Other discussions with government officials enabled the ICRC delegation to explain all aspects of current ICRC activities throughout the world. Mr. Hay's interlocutors were Mr. Filippo Maria Pandolfi, Minister of Finance; Mr. Aldo Aniasi, Minister of Health; Mrs. Nilde Iotti, Chairman of the Chamber of Deputies; Mr. Amintore Fanfani, President of the Senate; Mr. Paulo Emilio Taviani, Chairman of the Chamber of Deputies' Foreign Affairs Commission and Mr. Giulio Andreotti, Chairman of the Senate Foreign Affairs Commission. Discussions were held also with the leaders of the Italian main political parties.

On 20 June President Hay, Mr. Nessi and Mr. Borsinger were received in audience by H.H. Pope John-Paul II, after conferring with H.E. Cardinal Casaroli, the Vatican Secretary of State, and H.E. Cardinal Gantin, Chairman of the "Cor Unum" Pontifical Council and of the pontifical Justice and Peace Commission.

Several officials being absent from Rome during the June visit, Mr. Hay and Mr. Nessi returned a month later, and on 21 and 22 July met Mr. Emilio Colombo, Minister for Foreign Affairs, Mr. Lelio

Lagorio, Minister of Defence, and several other senior officials of those two ministries.

All the people with whom the ICRC representatives had talks were greatly interested in the institution's humanitarian activities and declared their willingness to give it henceforth more tangible—particularly financial—backing.

... and in Libya

Mr. Alexandre Hay, President of the International Committee of the Red Cross, accompanied by Mr. Sergio Nessi, head of the Financing Division, and Mr. Jean Hoefliger, delegate-general for the Middle East and North Africa, was in Tripoli (Libya) from 7 to 9 July. He was received by Colonel Moammar Qadaffi; Mr. Jadallah Azouz At-Talhi, President of the People's General Council; Mr. Abu Zaid Omar Durda, Secretary of State for Economic Affairs, representing the Minister for Foreign Affairs; and Dr. Muftah Al-Osta Omar, Minister of Health and President of the Libyan Red Crescent, who was accompanied by Dr. Ahmed Abdallah Es-Sherif, Secretary-General, and Mr. Abdel Rahman Bonkela, adviser, to the National Red Crescent.

In the course of his thorough discussions, the President of the ICRC gave the Libyan leaders an account of the Committee's many activities throughout the world and of the problems confronting it. Colonel Qadaffi and the other Libyan notables extended a cordial welcome to the ICRC delegation, displayed keen interest in the humanitarian activities of the ICRC and gave an assurance that they would give their full support, both moral and material. In particular, it was agreed to intensify and extend the authorities' co-operation with the Libyan Red Crescent, the ICRC and the entire movement of the Red Cross and Red Crescent.

Anniversary at the International Tracing Service

Twenty-five years ago the International Committee of the Red Cross took over the management of the International Tracing Service, founded at the end of the Second World War by the Federal Republic of Germany, France, Great Britain and the United States. A short ceremony, attended by some 250 staff members of the ITS, marked this anniversary, at the beginning of June, at Arolsen.

The task of the ITS is to gather and transmit all the information it can obtain from the most various sources on civilian victims of the national socialist regime during the Second World War. Today, still, it conducts innumerable inquiries at the request of the authorities, Red Cross Societies and individual persons to trace missing people and to establish certificates of kinship or death, or certificates enabling persons to obtain pensions or compensations. In its archives are documents concerning about ten million civilians of various nationalities, and in the course of twenty-five years of activity under the management of the ICRC, an estimated 1,600,000 cases have been solved by the Service. The work of the ITS is parallel to that of the Central Tracing Agency in Geneva, which deals with victims of war; it is therefore easy to understand why both institutions are under the authority of the ICRC.

On the occasion of this 25th anniversary, the authorities of the Federal Republic of Germany wrote to the President of the ICRC and to the Director of the ITS expressing their gratitude for the work done by the ITS.

Brochure on the ICRC

The ICRC has recently issued the second edition (June 1980) of its illustrated brochure entitled "Presenting the ICRC". It is intended for the general public and gives in its twenty pages an overall picture of the ICRC and its activities. The brochure, which is available in six languages—Arabic, English, French, German, Portuguese and Spanish—has been sent to National Societies, to be used by them in connection with their information and public relations work. Further copies may be obtained on request.

EXTERNAL ACTIVITIES

Africa

Financial appeal

On 30 June the ICRC appealed to several governments, National Red Cross Societies and a number of other donors—including the European Economic Community—to finance its humanitarian activities in Africa during the second half of 1980. At present the ICRC is engaged in a dozen African countries, and its outlays for the second half of this year are estimated at 23.4 million Swiss francs.

Delegate-general's mission

From 3 to 26 June the ICRC delegate-general for Africa, Mr. Frank Schmidt, went on a mission to Chad, Zaire and Angola.

In *Chad* he had talks with the leaders of the various factions currently fighting each other in N'Djamena. He asked them to guarantee the safety of ICRC delegates, this being a sine qua non of continued ICRC action for combat victims in the capital. No guarantee was received.

In *Zaire* the delegate-general contacted a number of government officials. With the State Commissioner for Foreign Affairs he discussed, inter alia, the protective work of the ICRC in the country's places of detention.

From 15 June Mr. Schmidt was in *Angola* for a series of talks with the authorities on the assistance operation undertaken by the ICRC jointly with the local Red Cross in favour of 50,000 displaced persons in the south of the country. Mr. Schmidt went to Huambo, where ICRC delegates taking part in the assistance programme are based, and he attended a relief distribution at Katchiungo (formerly Bela Vista). The delegate-general also visited the ICRC orthopedic centre at Bomba Alta.

Southern Africa

The activities of the ICRC delegations in Zimbabwe, Zambia and Botswana are gradually ceasing. In these three countries the National Red Cross Societies and local social organizations are taking over from the ICRC some on-going programmes.

Zimbabwe

In Zimbabwe, in May and June, operations were handed over to the local Red Cross and various social organizations which undertook to carry on certain activities which proved still to be necessary (e.g. food relief programmes).

A page was thus turned for the ICRC, whose protection and assistance activities had involved intense effort over the last three years. The ICRC humanitarian mission had often been extremely difficult, and three of its collaborators lost their lives in the course of it. Now, with peace restored in Zimbabwe, an account can be drawn up, and the following summary gives an insight into the ICRC action in the country.

One essential ICRC task in the event of armed conflict is to protect the civilian and military victims. Paradoxically, the ICRC considers that in this priority sphere it did not fully achieve its objective, as distinct from food and medical assistance, the second of its main activities.

Since 1959, regularly twice a year, the ICRC has been visiting persons arrested and convicted for political reasons or offences. It may be said that several of the country's current leaders were visited by ICRC delegates while they were in prison. During the war years, however, the ICRC's mandate was limited to visiting administrative detainees. For instance, the ICRC never had access to detainees convicted under martial law or to combatants captured while bearing arms.

On the other hand, from 1977 onwards, the ICRC developed for the benefit of detainees' families an assistance programme which amounted to 60,000 Swiss francs annually, and it organized bus transport to enable families to visit their detained relatives. About 3,500 persons visited the prisons each year under this arrangement, costing some 25,000 Swiss francs per annum.

Other protection tasks are the Agency activities, that is to say, the seeking of missing persons, the forwarding of family messages and the reuniting of families separated by events, made necessary by the lack of communications when frontiers are closed in the event of war. These soon became major activities at the ICRC Salisbury delegation. A card index of prisoners and missing persons contains more than 10,000

names; 722 tracing files were opened, for about half of which it has so far been possible to give positive replies. The Agency activities will be continued by the ICRC for several months before being handed over to the Zimbabwe Red Cross.

Food and medical assistance were also on a considerable scale from 1977 onwards, as a result of civilian population shifts caused by the fighting, and because the ICRC remained the only international organization operating in the whole country during the conflict.

More than 100,000 people living in rural areas received food each month for nearly three years, costing between 200,000 and 370,000 Swiss francs and consisting mainly of maize, milk powder, beans, salt and protein-rich food. Other relief comprised clothing, tents, blankets, soap, etc. Special programmes were developed in favour of several tens of thousands of vulnerable people (very young children, nursing mothers, schoolchildren, and so forth) and persons suffering from malnutrition.

During the final phase of the conflict the number of people fleeing the combat areas to seek refuge in the towns, especially in Salisbury, increased considerably, making an assistance and housing programme necessary. Since 1978 the ICRC has provided at Seke, near the capital, wooden and dried-brick huts for more than 4,500 displaced persons.

Since independence the people at Seke have been gradually returning to their villages. At the end of April 1980 the Seke camp was handed over by the ICRC to the Ministry of Labour and Social Affairs and to the Chitungwiza Urban Council.

The ICRC's medical action consisted in provisioning hospitals and tending to the population of areas without local medical services. Two ICRC mobile medical teams gave care and medicaments to a value of some 50,000 Swiss francs each month in more than 75 clinics and mission hospitals throughout the country. In addition, vaccination and medical education programmes organized by ICRC doctors and nurses reached more than 630,000 people.

At the beginning of 1980 the Patriotic Front asked the ICRC to provide medical assistance at the assembly points during the operations for the return of refugees from neighbouring countries. This task was carried out until April.

Finally, a word must be said about the information campaign to make the Red Cross, its emblem, role, activities and principles better known. Launched by the ICRC after the death of three of its collaborators at Nyamaropa near Umtali, the campaign was intended to reach as many people as possible by appropriate media: promotional

material was specially designed and ranged from strip cartoons to articles of everyday use, with an easily understood message about the Red Cross and about the ICRC in particular; lectures and seminars were organized by delegates throughout the country.

To carry out all these tasks the ICRC had a substantial delegation in Zimbabwe: 25 delegates and 180 local employees worked at Salisbury, Bulawayo, Umtali, Gwelo, Fort Victoria and Chiredzi, with transport consisting of three aircraft and 25 road vehicles (including three 7-ton trucks).

Angola

A large scale food and medical assistance programme began in May for the benefit of 50,000 displaced persons in Huambo province in the south of Angola. In co-operation with the "Angolan Red Cross", the ICRC distributed maize, and at Katchiungo five tons of other cereals were delivered at the beginning of June for 1,700 civilians suffering from malnutrition.

Large quantities of food—600 tons of maize, 80 tons of milk powder and 30 tons of butter oil—provided by the European Economic Community are being sent by sea to Angola. In the meantime about 100 tons of maize was flown in from Botswana to enable distributions to start.

The basic budget for the action amounts to 7.5 million Swiss francs. It is planned to extend the assistance to other areas. However, the ten ICRC delegates and those of the local Red Cross are encountering difficulties in carrying out their work, mainly because of the danger and the logistic problems. A relief distribution intended to be made at Katchiungo during the second fortnight of June, for instance, had to be postponed as too unsafe for the personnel.

The Bomba Alta orthopedic centre, financed and managed by the ICRC is continuing to operate. Thirteen local employees have begun their training in the manufacture of artificial limbs and in physiotherapy for amputees.

Namibia

On 3 June Mr. Roger Santschy, head of the ICRC delegation at Pretoria, accompanied by another delegate and a medical delegate, went to Mariental Prison where they visited, in accordance with the usual ICRC procedures, the 118 detainees of both sexes held there.

Zambia

In June ICRC delegates in Zambia distributed relief in camps for Namibian refugees. In all, 12 tons of milk powder, one ton of baby food, 5 tons of soap, 1½ tons of blankets, insecticide, etc. have been delivered to the camps either direct or through SWAPO and the Zambian Red Cross.

Malawi

The ICRC regional delegate for Africa, Mr. Urs Jenny, was on a mission from 10 to 17 June in Malawi to renew—after two years—contact with the authorities and the National Red Cross. With each of his interlocutors the ICRC delegate talked of problems inherent in the humanitarian mission of the ICRC, whether in relation to its tasks of protection and assistance or to the dissemination of international humanitarian law. While in Malawi, the regional delegate was able to give an account of ICRC activities for the benefit of the victims of the Rhodesian conflict in the last few years.

Zaire

After their visits to civilian and military places of detention, the ICRC delegates had access for the first time to a place of detention run by the State security police. The visit took place on 1 May, in Kinshasa, and enabled the delegates to see about a hundred detainees without witnesses. Comforts were provided for the inmates.

Chad

In Chad the work of the ICRC was gravely impeded in May and June by the intermittent fighting and increasing danger.

In spite of the delegation's overtures to the various contending factions, and notwithstanding the delegate-general's visit in June, the situation in the field has not improved and at the end of June the persistent combats compelled the ICRC to withdraw its delegates to Kousseri, on the Cameroon side of the Chari river. Since then the delegates go to N'Djamena when conditions permit in order to carry out their tasks: visiting prisoners, distributing relief and medicaments, tracing missing persons, and transmitting family messages.

The ICRC delegation in the zone held by the Armed Forces of the North (FAN) has on several occasions been a target for firing, and

this finally impelled it to withdraw to Kousseri on 24 May. Since then medical supplies have continued to be sent to the medical centre in the zone where some fifty Chadians are working. The activities of the Tracing Agency also continue.

The delegates in the zone held by the People's Armed Forces (FAP) have also had to withdraw to Kousseri, since the delegation was hit several times by shell shrapnel in June. However, these delegates return to N'Djamena each day to carry on their activities: supplying medicaments, distributing relief to the civilian population, conducting enquiries about missing persons, etc. In May 80 tons of wheat, most of it provided by the European Development Fund, was distributed in N'Djamena and a score of nearby villages.

Latin America

Delegate-general's mission

The ICRC delegate-general for Latin America, Mr. André Pasquier, carried out from 16 May to 9 June a mission which took him to the Bahamas, Colombia, Haiti and Cuba.

In the *Bahamas*, where he stayed from 16 to 18 May, Mr. Pasquier attended the Biennial Seminar of the National Red Cross. He gave two lectures, one on international humanitarian law and the other on the role of the ICRC in international and internal armed conflicts. This visit enabled the delegate-general to forge closer links with the Red Cross and Government of the Bahamas. Bahamas, incidentally, recently ratified the Protocols additional to the 1949 Geneva Conventions.

In *Colombia*, accompanied by Mr. A. Kobel, regional delegate, Mr. Pasquier had several discussions with the authorities, in particular with the Minister of Foreign Affairs and the Minister of Defence. The talks mainly concerned ICRC protection activities in the country's civilian and military places of detention. The delegate-general also met the leaders of the National Society, with which close collaboration developed.

An agreement was signed on 19 May with the Colombian Government, for the establishment in Bogota of an ICRC regional delegation

for the Andean countries, Guyana and Surinam. The Colombian Red Cross made an office available to the regional delegate.

In *Haiti*, from 25 May to 3 June, Mr. Pasquier attended, as an observer, the first Meeting of Presidents and Delegates of the Caribbean National Societies organized by the Haitian Red Cross under the auspices of the League of Red Cross Societies. The purpose of the meeting was to discuss ways and means to implement the National Societies' five-year plan worked out during the Eleventh Inter-American Red Cross Conference (Rio de Janeiro, June 1979). Apart from the host Society, eight National Red Cross Societies took part in the meeting, which was attended also by observers from the Red Cross Societies of Colombia, the United States and Spain. Several resolutions were adopted, one of which is designed to promote the dissemination of international humanitarian law in the region.

The final stage of his mission took Mr. Pasquier to *Cuba*, where he was joined by the regional delegate for the Andean countries, Mr. Kobel. Several discussions took place with leaders of the National Society. In addition, Mr. Pasquier and Mr. Kobel met the Vice-Minister of Health and representatives of the Minister for Foreign Affairs, with whom they reviewed ICRC activities in Latin America.

El Salvador

In June, to cope with the worsening situation in El Salvador, the ICRC reinforced its organization there. Five delegates, including a doctor and a Central Tracing Agency specialist, were despatched to the capital.

In close co-operation with the National Society, measures were taken also with a view to assistance action. The ICRC now has stocks of foodstuffs and medical supplies on the spot.

In addition an ICRC delegate and a member of the National Society made a survey in several provinces of the situation of persons displaced by events.

In the field of protection a delegate and a doctor visited several places of detention in the capital and the rest of the country, from 24 June to 10 July. In all, they saw about thirty persons detained in connection with the events.

Finally, following the May strike of civilian hospital staffs, the head of the ICRC delegation in El Salvador had several talks with the medical committee and with Ministry of Health representatives.

Nicaragua

In May and June the ICRC delegates in Nicaragua visited 17 places of detention and six hospitals throughout the country. In all, they saw some 3,900 prisoners of war and detainees held for security reasons.

We would point out that since the end of the civil war the ICRC has continued its regular visits to all places of detention in the country, in accordance with recognized procedure (interviews without witnesses, access to all penitentiary premises, freedom of movement inside the prisons, etc.).

Visits to places of detention

In May and June the ICRC delegates in Latin America carried out several series of visits to places of detention. These visits are undertaken by teams of delegates, usually accompanied by an ICRC doctor. Interviews without witnesses take place with detainees chosen by the delegates or having asked to speak with them.

In *Argentina* eight places of detention with 492 detainees were visited between 21 April and 10 May; in June the delegates went to the La Plata prison, where they saw 663 detainees.

In *Chile* a series of visits began on 25 June. By 3 July nine places of detention in which there were 122 detainees had been visited by the ICRC.

In *Paraguay* the ICRC regional delegate visited five places of detention in which he met seven persons detained for political reasons.

In *Uruguay* the visits begun at the end of January 1980 continued in May. From 22 April to 16 May a team of three delegates and a doctor went to ten places of detention in which there were 235 detainees held on security grounds. In addition, the authorities gave the ICRC their agreement to its visiting again the prison known as "EMR No. 1" or "La Libertad". That visit took place on 8 July. The delegates interviewed without witnesses 40 detainees of their choice and saw the entire prison premises. In all, the series of visits in Uruguay included 17 places of detention and the ICRC delegates interviewed 1,428 detainees without witnesses.

Asia

Assistance to Kampuchean people

A meeting on humanitarian assistance and relief to the people of Kampuchea, convened by the United Nations Secretary-General, Mr. Kurt Waldheim, took place in Geneva on 26 and 27 May, and was attended by representatives of 62 countries. The ICRC and UNICEF, invited as observers, made a joint statement in which they explained their policy for action in aid of the Cambodian people both within the People's Republic of Kampuchea and in the region across the Thai border. The joint statement was as follows:

“Since the autumn of 1979, the ICRC and UNICEF, in co-operation with FAO and WFP, have conducted a major relief operation in favour of the Kampuchean people. Although much has been achieved, even more remains to be done if the situation is not to become very serious once again in the months ahead. But the ability of the partners in this operation to achieve their objectives depends, on the one hand, on the willingness of the international community to provide active support and adequate financial and material resources and, on the other, in no small measure, on the authorities of the countries involved to grant the guarantees necessary for this operation to truly and fully meet the needs of the affected populations.

ICRC/UNICEF policy throughout has been—and remains in the short and medium term—to ensure the procurement, delivery and distribution of the quantities of relief supplies, particularly food and medicine, necessary to help avert famine and alleviate the most pressing health problems within Kampuchea. This policy aims at encouraging Kampucheans to remain in or return to their homes rather than establish themselves on the Thai border. Closely allied to this is the imperative need for adequate quantities of rice seeds to be distributed in order to be planted in time. While the bulk of the aid is reaching Kampuchea through the country's ports, additional entry points in the East and in the West agreed by all parties concerned would greatly help distribution; arrangements are already being finalized to provide relief goods through Vietnamese ports to the eastern provinces.

The failure to pursue the above-mentioned policy and implement the necessary measures to improve delivery and distribution would lead to the danger of further massive influx of Khmers to the border area and/or into Thailand.

In respect of the joint programme's responsibilities in the border areas, it should be noted that while it is fundamental to humanitarian

law that medical aid be provided to wounded military and civilians alike, it is essential in this situation that civilians who constitute the only category entitled to food and other non-medical aid, particularly women and children, should be physically separated from combatants.

In summary, unless adequate relief is continued, sizeable elements of the Kampuchean population will soon face again a serious risk of starvation. For this, there are two essential prerequisites.

First, substantially more material assistance must be received from the international community, including increased means of transport to support a more adequate distribution system within Kampuchea in the near future.

Second, the joint UNICEF/ICRC programme must be assured that relief being provided will be equitably distributed among the whole civilian population in need.

Without such an assurance, it cannot be expected that sufficient resources will be entrusted to the responsible organizations, nor in the prevailing circumstances should the organizations themselves be expected to continue their humanitarian work. Therefore, they need the indispensable co-operation of all concerned to enable them to attain the goals outlined above."

In addition, the President of the ICRC addressed the meeting on 27 May. After referring to the principles and rules of international humanitarian law—particularly the 1949 Geneva Conventions—he thanked participants for the financial support pledged during the meeting to permit action to be continued. He concluded: "The ICRC is prepared to continue this action if the fundamental humanitarian principles are respected and the difficult problems can be overcome, which is not yet sure. That is why the ICRC hopes it may rely on the support of the international community and the co-operation of all parties concerned."

Kampuchea

The joint ICRC-UNICEF programme in Kampuchea, conducted with the help of the WFP, concentrated, in May and June, on the provision of rice seed before the rainy season. Daily flights took place between Bangkok and Phnom Penh, and during the same period 28,000 tons of seed was delivered by boat, mainly to Kampong Som, while another 22,000 tons was distributed at the Thai-Khmer frontier for the population of western Kampuchea.

Rice sowing seems to have proceeded satisfactorily. It may therefore be hoped that the end-of-the-year harvest will provide the Kampuchean population with part of its food needs, or at least ward off a famine which would have disastrous repercussions from a demographic point of view.

The distribution of food was not so good. For one thing, because of the danger, the ICRC and UNICEF delegates were not permitted to escort all convoys, as they would have wished. In addition, administrative and logistic difficulties impeded stock turnover and distribution, both at Phnom Penh and in the provinces.

The joint mission was deeply concerned by this situation. At the end of May the ICRC, UNICEF and the WFP approached the authorities of Kampuchea about these problems and, in a memorandum, asked for improvements without delay to permit the action to be conducted normally, so that relief would reach the people who needed it.

In the last few weeks the ICRC continued its programme for the re-equipment of the country's dispensaries and hospitals by providing equipment and emergency medical supplies (160 tons delivered in May alone). Moreover, a supplementary food assistance programme was started to provide milk and protein-rich biscuits to hospitals and orphanages for persons suffering from malnutrition. The four ICRC medical teams distribute the rations during their rounds, when they also instruct the nursing staff on the use of the medical supplies provided by the international community.

Thailand

In Thailand the situation along the frontier, unstable and tense in May, began to deteriorate on 22 June. Violent fighting caused thousands of Cambodians to flee the camps where they had sought refuge, and some inhabitants of the neighbouring Thai villages also fled in panic. The ICRC teams of delegates and medical personnel scoured the border region for several days when conditions permitted, in order to remove the wounded and seek the fleeing refugees, in order to regroup them and help them. Because of the continual fighting, distributions in the camps to Cambodians coming from Kampuchea for supplies at the frontier could no longer be made regularly.

In addition, the ICRC delegates continued their efforts to protect detained persons and certain vulnerable groups in the camps.

In view of the precarious situation, the ICRC President, on 25 June, sent a message to the Thai authorities expressing the ICRC's concern

about the protection of victims and asking that civilians be removed from the combat areas. The ICRC also informed the Phnom Penh and Hanoi governments of the action taken. Since that date the situation in the field has been very confused. Continued hostilities at the frontier makes the humanitarian organizations' work very difficult and dangerous.

People's Republic of China

At the invitation of the Chinese Red Cross, a joint mission of the League of Red Cross Societies and of the ICRC Central Tracing Agency was in the People's Republic of China from 15 to 24 June. The League was represented by Mr. Patrick Vice, regional delegate for Hong Kong and Macao, and the CTA by Mrs. Florence Vondra, head of the Asia Service. The mission, part of the joint action for refugees from Viet Nam, was intended to make an on-the-spot appraisal of the medical action undertaken by the Chinese National Society, and also to discuss problems relating to tracing activities.

In Peking, where she stayed from 15 to 19 June, Mrs. Vondra had talks with the National Society leaders, particularly Mrs. Yung Chun and Mrs. Wang Yi, Vice-Presidents. In Canton and in the province of Kwantung, Mrs. Vondra and Mr. Vice were received by Mr. W. Feng, Vice-President of the Red Cross provincial committee and General Director of the office for the reception and resettlement of refugees. Mrs. Vondra and Mr. Vice also met other interlocutors from the Red Cross and the authorities.

The League and ICRC delegates visited two State farms and a reception centre where there were refugees. They also went to the Red Cross hospital in Canton, for which the international Red Cross has supplied medical equipment under the regional action programme for refugees from Indochina. From the discussions guide-lines emerged for co-operation between the National Society's tracing service and the CTA in Geneva.

Afghanistan

On 16 June Mr. G. Fontana, ICRC delegate in Kabul, was called to Geneva for consultations on the continuation of ICRC action in Afghanistan.

An ICRC mission had been sent to Afghanistan last January. After its discussions with the highest authorities of the Democratic Republic of Afghanistan, the ICRC was given assurances about the possibility

of carrying out its traditional protection and assistance activities for victims, and its enquiries about missing persons.

Since then the ICRC delegates in Kabul twice visited the Pouli Charkhi prison near the capital. At the same time, the ICRC distributed some 2½ tons of emergency medical supplies to various Kabul hospitals.

Recent developments in Afghanistan and certain difficulties encountered by the ICRC in the discharge of its mission made consultations with its delegate necessary. The ICRC has made further approaches to the authorities and proposed sending quickly a high-level mission to Kabul to discuss pending problems.

Malaysia

The ICRC regional delegate for South-East Asia, Mr. R. Duc, and a delegate from Geneva, visited, in two Malaysian prisons, from 23 to 28 June, more than 700 persons detained under the Internal Security Act.

Iran

On 6 May, at Zurich-Kloten airport, the mortal remains of American military personnel killed at Tabas (Iran) were handed over to the United States authorities by the ICRC and the Swiss Government.

On 14 June an ICRC delegate went to Sanandaj, capital of Kurdistan, to assess the situation. Accompanied by a representative of the Iranian National Society, the delegate gathered some information on the needs observed in the town, particularly medical. However, for security reasons, it was not possible to visit the Sanandaj area and the delegate returned to Teheran on 17 June.

Visits to places of detention continued in June. The ICRC delegates went to Tabriz, Kermanshah, Isfahan, Mashad and Shiraz. The series of visits is to continue in July.

Middle East

Israel and occupied territories

The ICRC, which has been present in Israel and the occupied territories since 1967, maintains fifteen delegates in its offices at Tel Aviv, Jerusalem and Gaza in order to ensure, consistent with the 1949 Geneva

Conventions, protection and assistance for the civilian Arab population of the occupied territories (West Bank, Golan, Gaza Strip).

One of the ICRC's priority activities is to visit civilian Arab detainees. The ICRC delegates regularly visit the prisons. In May they went to six places of detention, and since December 1978 they have also had access to detainees undergoing interrogation, within 14 days of arrest. In May, for instance, they carried out 280 such visits. Assistance provided by the ICRC takes the form of standard parcels to detainees who receive none from their families, and bus transport to enable families to visit their detained relatives.

Events on the West Bank

After the events in the occupied West Bank of the Jordan in May, the ICRC informed the Israeli authorities of its anxiety about the humanitarian consequences to the civilian population. In addition to expulsions and the destruction of houses, curfew had been decreed in certain villages, making provisioning difficult. Moreover, the Israeli armed forces had taken very strict security measures.

The ICRC delegates, from 7 May onwards, went several times to places where the curfew had been imposed (Anabta, Hebron and the Deheishe Palestinian camp near Bethlehem). Tension was still very high and the ICRC efforts, consistent with the 1949 Geneva Conventions, were aimed to protect the civilian population and particularly to prevent collective punishment.

Transfers

In May and June six operations were organized under ICRC auspices for the transfer of persons between Israel or occupied territory and neighbouring Arab countries. During three of these operations, eight detainees released by the Israeli authorities returned to their respective countries (Lebanon and Arab Republic of Egypt). One operation enabled three members of a family to join their kin in occupied Golan, and one person from occupied territory crossed to Damascus to rejoin his family. The mayors of Ramallah and Nablus, wounded during an attack, were taken to Amman hospital for treatment.

Lebanon

Following the February fighting in the north of Lebanon, a government commission was set up for the reconstruction and revival of

public services. The ICRC takes part in the commission's work, particularly in the field of medical assistance. On 6 May an ICRC doctor and nurse accompanied the Ministry of Health team to Knat to give out-patient treatment.

In June fighting at Saida, in southern Lebanon, resulted in many wounded. The ICRC delegates and Lebanese Red Cross first-aiders removed a score of casualties to the town's hospitals. The cease-fire being most precarious, these operations were very dangerous: two of the National Society's first-aiders were injured when their ambulance was hit by gun-fire.

THE CENTENARY OF THE ARGENTINE RED CROSS

The Argentine Red Cross, in June this year, celebrated the hundredth anniversary of its foundation. The ICRC was represented, at the commemoration ceremony in Buenos Aires, by Mr. Jacques Moreillon, Director of the Department of Principles and Law, who made the following speech. International Review is glad to print this text, with its compliments and best wishes to the Argentine Red Cross for its centenary.

*

It is my pleasure to participate, with my friends of the Argentine Red Cross, in the centenary celebrations of their Society. It is above all an honour to commemorate this anniversary as messenger and representative of the founder institution of the international Red Cross movement.

The present occasion seems to constitute an urgent appeal to us all. It is a resonant encouragement to devote all our strength to a task whose necessity for more than a century and with each passing year has become increasingly obvious. Originally, the role of the Red Cross was restricted to helping those wounded in war, but this role has continued growing to the extent that today there is no form of human suffering that the Red Cross is not called upon to fight against.

The extraordinary development of the Red Cross clearly demonstrates the perspicacity of the pioneers of our movement. Amongst them the founders of the Argentine Red Cross hold an important place. Fortunately, well aware of the historic importance of their work, they made a point of leaving a written account of the circumstances which directed their actions and the difficulties they had to overcome.

As Dr. Pedro Roberts, the first President, narrates in his captivating memoirs of 1880, the impending armed clash between the national government troops and those of the province of Buenos Aires made it imperative to gather together and organize individual good will "under

the banner of the international association founded in Geneva". Dr. Roberts continued: "Time was running out; fighting seemed imminent and while both parties were feverishly preparing for war, nobody thought of the help to be given to the victims".

An assembly was convened in the premises of the Spanish Club, on 9 June 1880, during which the ten articles of the first Geneva Convention of 1864 were read, Argentina having acceded to the Convention seven months earlier, on 25 November 1879. That assembly appointed a temporary Committee which the following day formally became the "Red Cross Association in its Argentine Section".

Without delay, the Association leaders approached the two conflicting parties to obtain official approval of their endeavour. On 14 June, the Society was officially recognized by National Government decree. In the meantime, the Red Cross collected funds, medical equipment and received permission to use rooms in several hospitals and clinics in the capital. When the hostilities broke out on 20 June, its volunteers were able to get to work immediately. By the end of the fighting, 319 seriously injured had been hospitalized and treated by the Red Cross and a much larger number of those less seriously injured had received treatment and returned home. In a purely humanitarian spirit, doctors and first-aiders treated victims of both camps, and their impartiality created some problems for them, fortunately temporary, with the local authorities.

After this first period of emergency, the founders of the Society concentrated on organizing their institution. The Argentine Red Cross adopted a new set of internal regulations taking into account the experience acquired in the heat of action. It received the help and patronage of various influential and respected notables. It set up sections in major towns of the country, consolidated its relations with the new government, which granted it various administrative facilities. It contacted the International Committee of the Red Cross which, with great pleasure, recognized it as a new member of the International Red Cross on 10 January 1882.

It is interesting, almost a century later, to re-read certain passages of the circular sent to National Societies of the Red Cross, wherein the ICRC recommends the new Society:

"Ever since almost all the States of Europe have Red Cross Societies, the International Committee has only rarely had occasion to inform its honourable members of the founding of like associations. Yet, how desirable it is for our work to spread to countries overseas.

Until today, there was only one Society in the New World which had established relations with those of Europe, the Society of Peru, but we hope to see others blossom in the near future. It is the Republic of

Argentina that we bring to you today... for the Argentine Society has asked to normalize its position in relation to other Red Cross Societies...

Before granting its request, the International Committee considered it necessary to have further correspondence with the Buenos Aires Committee and to make sure that the Argentine Society was in every way qualified to take its place amongst the concert of Societies already existing...

Consequently, it is with adequate knowledge of the facts and with great pleasure that we present to you today the Argentine Society of the Red Cross... and we urge the longer established Societies to lend it a helping hand..."

The Argentine Red Cross forged links with sister Societies, especially with the Spanish Red Cross, whose representatives in Buenos Aires had actively participated in the constituent assembly of 9 June 1880. It offered, in its turn, its support to Red Cross committees being formed in Bolivia and Uruguay.

After the lapse of a century, we can only marvel at the ideals, drive and efficiency of the founders of the Argentine Society. Hindsight highlights the exemplary aspect of their work: their contagious enthusiasm, generation after generation, brought in the thousands of volunteers who animate this national Red Cross today.

This enthusiasm is more than ever necessary. By its past success, the Red Cross has raised hopes, sometimes quite out of proportion. Not only the victims of all present-day catastrophes, but even the population on the whole, and governments too, count on the Red Cross to give proof of solidarity and to untiringly spread, by word and deed, the respect of basic human values. Hence, every institution, every Society, every man and woman in the Red Cross shoulders a heavy responsibility with regard to our now universal movement.

The ICRC itself attaches the utmost importance to the existence in Argentina of a strong and active Society whose striking example of adherence to the fundamental principles of the Red Cross is so gratifying. It is grateful to the Society in Argentina for its collaboration over the years and for the support that ICRC delegates have always received in this country.

It is in this spirit that the International Committee of the Red Cross, on the occasion of this 100th anniversary, expresses its warmest wishes to the Argentine Red Cross for its future activities in the service of humanity.

BOOKS AND REVIEWS

ITALIAN TRANSLATION OF THE PROTOCOLS

The Geneva Protocols of 1977 are now available in Italian. This translation was carried out by General C.A. (a) Pietro Verri and printed in a special issue (No. 4-5)¹ of the "*Rassegna della giustizia militare*", under the heading *I Protocolli aggiuntivi alle Convenzioni di Ginevra del 12 Agosto 1949*. In a very interesting introduction, General P. Verri summarizes for members of the armed forces and jurists the innovations which the Protocols have introduced in international law. A practical and useful table at the end of the book gives a list of States which have signed, ratified or acceded to the Protocols and dates of the entry into force of these international treaties. This fine work is further evidence of the interest shown in the 1977 Protocols.

HOWARD S. LEVIE:

PRISONERS OF WAR IN INTERNATIONAL ARMED CONFLICTS²

The author, who is a professor in the Law School of St. Louis University, has, for many years, taken a deep interest in humanitarian law and especially in the lot of prisoners of war. He has already published many studies on this subject in various legal reviews in the United States of America.

As an army officer, he has had the opportunity to observe operations concerning prisoners of war during the Second World War, the conflict in Korea and the recent conflict between India and Pakistan. These experiences and an in-depth knowledge of the law have enabled Pro-

¹ Rome, 1978.

² *International Law Studies*, vol. 59, U.S. Naval War College, Newport, Rhode Island, USA. LXIX + 529 pp.

fessor Levie to write a well-documented book which deals exhaustively and realistically with all the problems related to prisoners of war.

The book contains an extensive bibliography, a list of international agreements on prisoners of war, the text of the 1949 Geneva Convention relative to the Treatment of Prisoners of War and a detailed index.

This work will no doubt be of considerable use to all who have to tackle problems concerning prisoners of war, and make an important contribution to the dissemination of international humanitarian law.

C. P.

DOCUMENTS ON PRISONERS OF WAR ¹

In a second volume Mr. Howard S. Levie gives the text, in English, of 175 documents relating to prisoners of war. The first ones are quotations from the Bible and the Koran, dating from the pre-Christian era and the VIIth century A.D., and the last is the text of Protocol I adopted in 1977. Between both extremes there is a whole series of documents of considerable interest to historians and lawyers, on the same subject, ranging from the treaties of Westphalia (1648) and the decree of the French National Assembly (1792) to the New Delhi agreements (1973 and 1974) between Pakistan, India and Bangladesh on the repatriation of prisoners of the 1971 conflict. The book also contains resolutions of various International Red Cross Conferences and a Convention of the Universal Postal Union (1974) on the mail of prisoners of war, etc.

Professor Levie has thus published a book with a very rich content as an addition to his first volume. Tables and indexes make the book easier to consult.

¹ *International Law Studies*, vol. 60, U.S. Naval War College, Newport, Rhode Island, 1979, xxvii + 853 pages.

**EXTRACT FROM THE STATUTES OF
THE INTERNATIONAL COMMITTEE OF THE RED CROSS**

ADOPTED 21 JUNE 1973

ART. 1. — *International Committee of the Red Cross*

1. The International Committee of the Red Cross (ICRC), founded in Geneva in 1863 and formally recognized in the Geneva Conventions and by International Conferences of the Red Cross, shall be an independent organization having its own Statutes.

2. It shall be a constituent part of the International Red Cross.¹

ART. 2. — *Legal Status*

As an association governed by Articles 60 and following of the Swiss Civil Code, the ICRC shall have legal personality.

ART. 3. — *Headquarters and Emblem*

The headquarters of the ICRC shall be in Geneva.

Its emblem shall be a red cross on a white ground. Its motto shall be *Inter arma caritas*.

ART. 4. — *Role*

1. The special role of the ICRC shall be:

- (a) to maintain the fundamental principles of the Red Cross as proclaimed by the XXth International Conference of the Red Cross;
- (b) to recognize any newly established or reconstituted National Red Cross Society which fulfils the conditions for recognition in force, and to notify other National Societies of such recognition;
- (c) to undertake the tasks incumbent on it under the Geneva Conventions, to work for the faithful application of these Conventions and to take cognizance of any complaints regarding alleged breaches of the humanitarian Conventions;
- (d) to take action in its capacity as a neutral institution, especially in case of war, civil war or internal strife; to endeavour to ensure at all times that the military and civilian victims of such conflicts and of their direct results receive protection and assistance, and to serve in humanitarian matters, as an intermediary between the parties;
- (e) to ensure the operation of the Central Information Agencies provided for in the Geneva Conventions;
- (f) to contribute, in view of such conflicts, to the preparation and development of medical personnel and medical equipment, in co-operation with the Red Cross organizations, the medical services of the armed forces, and other competent authorities;
- (g) to work for the continual improvement of humanitarian international law and for the better understanding and diffusion of the Geneva Conventions and to prepare for their possible extension;
- (h) to accept the mandates entrusted to it by the International Conferences of the Red Cross.

2. The ICRC may also take any humanitarian initiative which comes within its role as a specifically neutral and independent institution and consider any question requiring examination by such an institution.

ART. 6 (first paragraph). — *Membership of the ICRC*

The ICRC shall co-opt its members from among Swiss citizens. It shall comprise fifteen to twenty-five members.

¹ The International Red Cross comprises the National Red Cross Societies, the International Committee of the Red Cross and the League of Red Cross Societies. The term "National Red Cross Societies" includes the Red Crescent Societies and the Red Lion and Sun Society.

ADDRESSES OF NATIONAL SOCIETIES

- AFGHANISTAN (Democratic Republic) — Afghan Red Crescent, Puli Artan, *Kabul*.
- PEOPLE'S SOCIALIST REPUBLIC OF ALBANIA — Albanian Red Cross, 35, Rruga e Barrikadave, *Tirana*.
- ALGERIA (Democratic and People's Republic) — Algerian Red Crescent Society, 15 bis, Boulevard Mohamed V, *Algiers*.
- ARGENTINA — Argentine Red Cross, H. Yrigoyen 2068, 1089 *Buenos Aires*.
- AUSTRALIA — Australian Red Cross, 206, Clarendon Street, *East Melbourne 3002*.
- AUSTRIA — Austrian Red Cross, 3 Gusshausstrasse, Postfach 39, *Vienna 4*.
- BAHAMAS — Bahamas Red Cross Society, P.O. Box N 91, *Nassau*.
- BAHRAIN — Bahrain Red Crescent Society, P.O. Box 882, *Manama*.
- BANGLADESH — Bangladesh Red Cross Society, 34, Bangabandhu Avenue, *Dacca 2*.
- PEOPLE'S REPUBLIC OF BENIN — Red Cross of Benin, B.P. 1, *Porto Novo*.
- BELGIUM — Belgian Red Cross, 98 Chaussée de Vleurgat, 1050 *Brussels*.
- BOLIVIA — Bolivian Red Cross, Avenida Simón Bolívar, 1515, *La Paz*.
- BOTSWANA — Botswana Red Cross Society, Independence Avenue, P.O. Box 485, *Gaborone*.
- BRAZIL — Brazilian Red Cross, Praça Cruz Vermelha 10-12, *Rio de Janeiro*.
- BULGARIA — Bulgarian Red Cross, 1, Boul. Biruzov, *Sofia 27*.
- BURMA (Socialist Republic of the Union of) — Burma Red Cross, 42 Strand Road, Red Cross Building, *Rangoon*.
- BURUNDI — Red Cross Society of Burundi, rue du Marché 3, P.O. Box 324, *Bujumbura*.
- CAMEROON — Cameroon Red Cross Society, rue Henry-Dunant, P.O.B. 631, *Yaoundé*.
- CANADA — Canadian Red Cross, 95 Wellesley Street East, *Toronto, Ontario, M4Y 1H6*.
- CENTRAL AFRICAN REPUBLIC — Central African Red Cross, B.P. 1428, *Bangui*.
- CHILE — Chilean Red Cross, Avenida Santa María 0150, Correo 21, Casilla 246V., *Santiago*.
- CHINA (People's Republic) — Red Cross Society of China, 53 Kanmien Hutung, *Peking*.
- COLOMBIA — Colombian Red Cross, Carrera 7a, 34-65, Apartado nacional 1110, *Bogotá D.E.*
- CONGO, PEOPLE'S REPUBLIC OF THE — Croix-Rouge Congolaise, place de la Paix, *Brazzaville*.
- COSTA RICA — Costa Rican Red Cross, Calle 14, Avenida 8, Apartado 1025, *San José*.
- CUBA — Cuban Red Cross, Calle 23 201 esq. N. Vedado, *Havana*.
- CZECHOSLOVAKIA — Czechoslovak Red Cross, Thunovska 18, 118 04 *Prague 1*.
- DENMARK — Danish Red Cross, Dag Hammarskjöld's Allé 28, Postboks 2600, 2100 *København Ø*.
- DOMINICAN REPUBLIC — Dominican Red Cross, Apartado Postal 1293, *Santo Domingo*.
- ECUADOR — Ecuadorian Red Cross, Calle de la Cruz Roja y Avenida Colombia, 118, *Quito*.
- EGYPT (Arab Republic of) — Egyptian Red Crescent Society, 29, El-Galaa Street, *Cairo*.
- EL SALVADOR — El Salvador Red Cross, 3a Avenida Norte y 3a Calle Poniente, *San Salvador, C.A.*
- ETHIOPIA — Ethiopian Red Cross, Ras Desta Damtew Avenue, *Addis Ababa*.
- FIJI — Fiji Red Cross Society, 193 Rodwell Road, P.O. Box 569, *Suva*.
- FINLAND — Finnish Red Cross, Tehtaankatu 1 A, Box 168, 00141 *Helsinki 14/15*.
- FRANCE — French Red Cross, 17 rue Quentin Bauchart, F-75384 *Paris CEDEX 08*.
- GAMBIA — The Gambia Red Cross Society, P.O. Box 472, *Banjul*.
- GERMAN DEMOCRATIC REPUBLIC — German Red Cross in the German Democratic Republic, Kaitzerstrasse 2, DDR 801 *Dresden 1*.
- GERMANY, FEDERAL REPUBLIC OF — German Red Cross in the Federal Republic of Germany, Friedrich-Ebert-Allee 71, 5300, *Bonn 1*, Postfach (D.B.R.).
- GHANA — Ghana Red Cross, National Headquarters, Ministries Annex A3, P.O. Box 835, *Accra*.
- GREECE — Hellenic Red Cross, rue Lycavittou 1, *Athens 135*.
- GUATEMALA — Guatemalan Red Cross, 3ª Calle 8-40, Zona 1, *Ciudad de Guatemala*.
- GUYANA — Guyana Red Cross, P.O. Box 351, Eve Leary, *Georgetown*.
- HAITI — Haiti Red Cross, Place des Nations Unies, B.P. 1337, *Port-au-Prince*.
- HONDURAS — Honduran Red Cross, 7a Calle, 1a y 2a Avenidas, *Comayagüela, D.M.*
- HUNGARY — Hungarian Red Cross, V. Arany János utca 31, *Budapest V*. Mail Add.: 1367 *Budapest 5*, Pf. 249.
- ICELAND — Icelandic Red Cross, Nóatúni 21, 105 *Reykjavik*.
- INDIA — Indian Red Cross, 1 Red Cross Road, *New Delhi 110001*.
- INDONESIA — Indonesian Red Cross, Jalan Abdul Muis 66, P.O. Box 2009, *Djakarta*.
- IRAN — Iranian Red Lion and Sun Society, Av. Villa, Carrefour Takhté Djamchid, *Teheran*.
- IRAQ — Iraqi Red Crescent, Al-Mansour, *Baghdad*.
- IRELAND — Irish Red Cross, 16 Merrion Square, *Dublin 2*.
- ITALY — Italian Red Cross, 12 via Toscana, *Rome*.
- IVORY COAST — Ivory Coast Red Cross Society, B.P. 1244, *Abidjan*.
- JAMAICA — Jamaica Red Cross Society, 76 Arnold Road, *Kingston 5*.
- JAPAN — Japanese Red Cross, 1-3 Shiba-Daimon 1-chome, Minato-Ku, *Tokyo 105*.
- JORDAN — Jordan National Red Crescent Society, P.O. Box 10 001, *Amman*.
- KENYA — Kenya Red Cross Society, St. John's Gate, P.O. Box 40712, *Nairobi*.
- KOREA, DEMOCRATIC PEOPLE'S REPUBLIC OF — Red Cross Society of the Democratic People's Republic of Korea, *Pyongyang*.
- KOREA, REPUBLIC OF — The Republic of Korea National Red Cross, 32-3Ka Nam San-Dong, *Seoul*.
- KUWAIT — Kuwait Red Crescent Society, P.O. Box 1350, *Kuwait*.
- LAO PEOPLE'S DEMOCRATIC REPUBLIC — Lao Red Cross, P.B. 650, *Vientiane*.
- LEBANON — Lebanese Red Cross, rue Spears, *Beirut*.
- LESOTHO — Lesotho Red Cross Society, P.O. Box 366, *Maseru*.

- LIBERIA** — Liberian National Red Cross, National Headquarters, 107 Lynch Street, P.O. Box 226, *Monrovia*.
- LIBYAN ARAB JAMAHIRIYA** — Libyan Arab Red Crescent, P.O. Box 541, *Benghazi*.
- LIECHTENSTEIN** — Liechtenstein Red Cross, *Vaduz*.
- LUXEMBOURG** — Luxembourg Red Cross, Parc de la Ville, C.P. 404, *Luxembourg*.
- MALAGASY REPUBLIC** — Red Cross Society of the Malagasy Republic, rue Patrice Lumumba, *Antananarivo*.
- MALAWI** — Malawi Red Cross, Hall Road, *Blantyre* (P.O. Box 30080, Chichiri, *Blantyre* 3).
- MALAYSIA** — Malaysian Red Crescent Society, JKR 2358, Jalan Tun Ismail, *Kuala Lumpur* 11-02.
- MALI** — Mali Red Cross, B.P. 280, *Bamako*.
- MAURITANIA** — Mauritanian Red Crescent Society, B.P. 344, Avenue Gamal Abdel Nasser, *Nouakchott*.
- MAURITIUS** — Mauritius Red Cross, Ste Thérèse Street, *Curepipe*.
- MEXICO** — Mexican Red Cross, Avenida Ejército Nacional n° 1032, *México* 10 D.F.
- MONACO** — Red Cross of Monaco, 27 boul. de Suisse, *Monte Carlo*.
- MONGOLIA** — Red Cross Society of the Mongolian People's Republic, Central Post Office, Post Box 537, *Ulan Bator*.
- MOROCCO** — Moroccan Red Crescent, B.P. 189, *Rabat*.
- NEPAL** — Nepal Red Cross Society, Tahachal, P.B. 217, *Kathmandu*.
- NETHERLANDS** — Netherlands Red Cross, 27 Prinsessegracht, *The Hague*.
- NEW ZEALAND** — New Zealand Red Cross, Red Cross House, 14 Hill Street, *Wellington* 1. (P.O. Box 12-140, *Wellington North*.)
- NICARAGUA** — Nicaragua Red Cross, D.N. Apartado 3279, *Managua*.
- NIGER** — Red Cross Society of Niger, B.P. 386, *Niamey*.
- NIGERIA** — Nigerian Red Cross Society, Eko Aketa Close, off St. Gregory Rd., P.O. Box 764, *Lagos*.
- NORWAY** — Norwegian Red Cross, Drammensveien 20 A, *Oslo* 2, Mail add.: *Postboks 2338, Solli, Oslo* 2.
- PAKISTAN** — Pakistan Red Crescent Society, National Headquarters, 169, Sarwar Road, *Rawalpindi*.
- PAPUA NEW GUINEA** — Red Cross of Papua New Guinea, P.O. Box 6545, *Boroko*.
- PANAMA** — Panamanian Red Cross, Apartado Postal 668, Zona 1, *Panamá*.
- PARAGUAY** — Paraguayan Red Cross, Brasil 216, *Asunción*.
- PERU** — Peruvian Red Cross, Jirón Chancay 881, *Lima*.
- PHILIPPINES** — Philippine National Red Cross, 860 United Nations Avenue, P.O.B. 280, *Manila* D 2803.
- POLAND** — Polish Red Cross, Mokotowska 14, *Warsaw*.
- PORTUGAL** — Portuguese Red Cross, Jardim 9 Abril, 1 a 5, *Lisbon* 3.
- ROMANIA** — Red Cross of the Socialist Republic of Romania, Strada Biserica Amzei 29, *Bucarest*.
- SAN MARINO** — San Marino Red Cross, Palais gouvernemental, *San Marino*.
- SAUDI ARABIA** — Saudi Arabian Red Crescent, *Riyadh*.
- SENEGAL** — Senegalese Red Cross Society, Bd Franklin-Roosevelt, P.O.B. 299, *Dakar*.
- SIERRA LEONE** — Sierra Leone Red Cross Society, 6A Liverpool Street, P.O.B. 427, *Freetown*.
- SINGAPORE** — Singapore Red Cross Society, 15 Penang Lane, *Singapore* 0923.
- SOMALIA (DEMOCRATIC REPUBLIC)** — Somali Red Crescent Society, P.O. Box 937, *Mogadishu*.
- SOUTH AFRICA** — South African Red Cross, Cor. Kruijs & Market Streets, P.O.B. 8726, *Johannesburg* 2001.
- SPAIN** — Spanish Red Cross, Eduardo Dato 16, *Madrid* 10.
- SRI LANKA (Dem. Soc. Rep. of)** — Sri Lanka Red Cross Society, 106 Dharmapala Mawatha, *Colombo* 7.
- SUDAN** — Sudanese Red Crescent, P.O. Box 235, *Khartoum*.
- SWAZILAND** — Baphalali Swaziland Red Cross Society, P.O. Box 377, *Mbabane*.
- SWEDEN** — Swedish Red Cross, Fack, S-104 40 *Stockholm* 14.
- SWITZERLAND** — Swiss Red Cross, Rainmattstr. 10, B.P. 2699, *3001 Berne*.
- SYRIAN ARAB REPUBLIC** — Syrian Red Crescent, Bd Mahdi Ben Barake, *Damascus*.
- TANZANIA** — Tanzania Red Cross Society, Upanga Road, P.O.B. 1133, *Dar es Salaam*.
- THAILAND** — Thai Red Cross Society, Paribatra Building, Chulalongkorn Memorial Hospital, *Bangkok*.
- TOGO** — Togolese Red Cross Society, 51 rue Boko Soga, P.O. Box 655, *Lomé*.
- TRINIDAD AND TOBAGO** — Trinidad and Tobago Red Cross Society, Wrightson Road West, P.O. Box 357, *Port of Spain*, Trinidad, West Indies.
- TUNISIA** — Tunisian Red Crescent, 19 rue d'Angleterre, *Tunis*.
- TURKEY** — Turkish Red Crescent, Yenischir, *Ankara*.
- UGANDA** — Uganda Red Cross, Nabunya Road, P.O. Box 494, *Kampala*.
- UNITED KINGDOM** — British Red Cross, 9 Grosvenor Crescent, *London, SW1X 7EJ*.
- UPPER VOLTA** — Upper Volta Red Cross, P.O.B. 340, *Ouagadougou*.
- URUGUAY** — Uruguayan Red Cross, Avenida 8 de Octubre 2990, *Montevideo*.
- U.S.A.** — American National Red Cross, 17th and D Streets, N.W., *Washington, D.C.* 20006.
- U.S.S.R.** — Alliance of Red Cross and Red Crescent Societies, I. Tcheremushkinskii proezd 5, *Moscow* 117036.
- VENEZUELA** — Venezuelan Red Cross, Avenida Andrés Bello No. 4, Apart. 3185, *Caracas*.
- VIET NAM, SOCIALIST REPUBLIC OF** — Red Cross of Viet Nam, 68 rue Bà-Triêu, *Hanoi*.
- YUGOSLAVIA** — Red Cross of Yugoslavia, Simina ulica broj 19, *Belgrade*.
- REPUBLIC OF ZAIRE** — Red Cross of the Republic of Zaire, 41 av. de la Justice, B.P. 1712, *Kinshasa*.
- ZAMBIA** — Zambia Red Cross, P.O. Box R.W.1, 2837 Brentwood Drive, *Lusaka*.